

THE
HISTORY
OF
ENGLAND,
AS WELL
Ecclesiastical as Civil.

BY
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V O L. XI.

CONTAINING
Part of the Reign of King CHARLES I.

Done into *ENGLISH* from the *FRENCH*, with
large and useful NOTES mark'd with an *, by
N. TINDAL, A. M. Vicar of Great-
Waltham in Essex.

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CONSIDERATIONS ON THE AUTHORS

*Who have Writ the HISTORY of the
Reign of CHARLES I.*



THE Civil War between *Charles I.* and the Parliament gave Birth to two Parties, who contended for Victory till the Battle of *Nazeby*. By this Battle, the Parliament acquired a Superiority, which enabled them to hold the King's Party, or the *Cavaliers*, in a sort of Slavery, from which they were not delivered till 1660, by the *Restoration* of *Charles II.* After the *Restoration*, the *Royalists* in their Turn became so Superior, that the other Party durst no longer hold up their Heads. This continued till the End of the Reign of *James II.* during the Space of Twenty-seven or Twenty-eight Years. In one or other of these two Intervals were written most of the Works wherein the Authors undertake to give an exact Account of the *Troubles of England* in the Reign of *Charles I.* with the Grounds and Causes of the same. From the Conclusion of the War to the *Restoration* of *Charles II.* the Friends of the Parliament

had free Scope to write and publish whatever they pleased, whilst the King's Favourers durst not set their Names to their Writings. In this Interval came forth vast Numbers of polemical Writings, with so much Animosity, so many Reproaches and Invectives, that it is no easy Matter for a Man, who is in search after the Truth, to discern in all these Writings, the Proofs which may have some Solidity, and separate them from the Presumptions, false Consequences, artful Suppositions, and Invectives where-with they abound.

One of the most considerable Writings of those Days was *Eikon Basiliké*, or *the King's Portraiture*, published in 1649. It is scarce to be doubted that *Charles I.* was himself the Author. He undertakes in this Work to vindicate himself upon all the Articles laid to his Charge. It is properly an Abstract of the Reasons he had before published in several Papers printed by his Order, or addressed to both Houses of Parliament. I have not quoted this Book in the History of his Reign, because it contains nothing with regard to the Facts or Proofs but what is more fully insisted on in the King's Messages, Answers, Declarations, that have already been seen at large. An Answer was published to this Book, where it was pretended to show that the King had not spoken with Sincerity; and presently after appeared a Reply to this Answer. This Work has been highly esteemed, because it contains all that can be said to any purpose in favour of the King. It may be easily presumed that the King omitted nothing material, since no body could know his Affairs better than himself. Accordingly, this Book has served for Foundation to whatever has been since writ in his Favour.

Another very considerable Work, published a little after the Death of *Oliver Cromwel*, and dedicated to his Son *Richard* whilst Protector, was *Rushworth's Collections*. This Work may very justly be considered as a Continuation of the Collection of the
Publick

Publick Acts of England, of which I have made great use in this History. It is a Collection of all that passed with respect to publick Affairs, from the Year 1618, to the Death of *Charles I.*, not by way of Narration or History, but they are Materials which may serve to compose a History. It contains all that was done at Court and in the Parliament; the King's Proclamations upon fundry Matters; his Speeches to *both Houses*, and those that were made by his Order; the Addresses or Petitions presented to the King by the Parliament; his Majesty's Answers; the Petitions presented to the two *Houses*; the Speeches made in the *House of Commons*, as well as in the Courts of Justice; the Votes or Resolves of the two *Houses*, and their Conferences upon divers Subjects; the King's Messages to the Parliament, with the Answers; the Impeachments of the *Commons* brought before the House of Lords against several illustrious Persons; the Answers of the Parties accused; the Sentences; the Petitions of the *Commons* and *both Houses* to the King, concerning Religion, *Tonnage* and *Poundage*, the Business of the *Militia*, Breaches of Privilege, the Affair of *Hull*; the King's Answers upon all these Subjects, and his several Messages about the same Matters; the King's and the Parliament's *Manifesto's*; all the Events of the War; the Relations of the Skirmishes, Sieges and Battles; the Negotiations for Peace; a great Number of Papers, which give a perfect Knowledge of the Differences between the King and his *Scotch* Subjects, and of those between the Army and Parliament, with the Negotiations between the King and both *Houses*, after his Majesty's Imprisonment; the Violence exercised by the Army upon the Parliament; the King's Condemnation and Death. These Materials are the more valuable, as the Author draws no Consequence from what he relates, and very seldom endeavours to prejudice his Reader by Reasonings. So that every Man is free to make what use he pleases of them,

according to his own Principles. I shall speak a little more fully of these Collections hereafter.

From the *Restoration of Charles II* to the End of his Reign, two other Works were published upon the same Subject, I mean, upon the Reign of *Charles I*, and a Third was composed at the same Time, though published later.

The First is entitled, *The Annals of King James and King Charles I*. It is said to be composed by Dr. *Franklin*, who has not thought fit to put his Name to it. He begins his *Annals* at the Year 1612, and continues them through the rest of the Reign of *James I*; and from the Death of that Prince to the Year 1642, during the Sixteen first Years of the Reign of *Charles I*.

The Second, which came out in 1682, was composed by *John Nalson* Doctor in Law. It is entitled, *An impartial Collection of the great Affairs of State, from the Beginning of the Scotch Rebellion to the Murder of King Charles I*. This Collection begins only at the Year 1639, and though probably the Author intended to carry it on to *King Charles's* Death, as appears by the Title, he left it imperfect, and brought it no lower than the Month of *January* 164 $\frac{1}{2}$ in Two Volumes in Folio.

The Third is, *The History of the Rebellion and Civil Wars in England*, written by the Earl of *Clarendon*. This History was penned before *Nalson's*, though it appeared not till *Queen Ann's* Reign. It begins properly with the Parliament of *November* the 3d, 1640, the whole first Book being a sort of *Introduction*, wherein the Author gives a general Account of what passed from the last Years of *James I*. to that Parliament. This History reaches to the Restoration of *Charles II* in 1660.

These Three last Works were composed in the Reign of *Charles II*, at a Time when that Prince had carried the Royal Authority much higher than the King his Father had ever done: At a Time when those

those who had been Adherents of the Long Parliament, or were of the same Principles, were cruelly persecuted, and when it was more dangerous to be a *Presbyterian* than an *Atheist*.

I shall not speak here of a great many less considerable Writings, which, for the most Part, ascribe to the King an unlimited Power, and consequently represent the last War of the Parliament against *Charles I.* as the blackest and most palpable Rebellion.

Whoever has a mind to write the History of the Reign of *Charles I.* must take his Materials from some one of the Works I have just mentioned, or from all. For this Reason it is that I think my self obliged to speak a little more fully of them, to the End it may not be thought strange that I have not adopted without Examination whatever they contain. Was there among the *English* some good neuter Historian, he would be the Person that should be taken for Guide: but I know not any. He therefore that undertakes to write now the History of *Charles I.* must endeavour to discover the Truth in even the most partial Historians, and be extremely careful to avoid the continual Snares they lay for their Readers, for the Sake of the Cause they maintain. One must know what was their Aim in writing, what System they followed, and the Artifices they made use of to engage in their Principles such as make but few Reflections in reading a History, and are apt to be easily drawn into the Prejudices of the Historian they are perusing. I shall begin with *Rushworth*, who was the first Writer.

There is no Historian that can appear at first sight more impartial than He that contents himself with furnishing Materials for a History, without drawing any Consequences himself, and without reasoning upon the Papers he exhibits, either for or against the Matters therein contained. It is however certain, that even in this he may show very great Partiality; as for instance, in giving forged Papers, in cur-

tailing or altering those that are true, in giving such only as may be advantageous to the Party he has a Mind to Favour. *Rushworth*, who was most certainly a Friend to the Parliament, Clerk-Assistant to the *House of Commons*, and Secretary to General *Fairfax*, is accused of three Things by the contrary Party. 'Tis pretended. 1. That he has given false Papers. 2. That he has curtailed others, under Colour of abridging them. 3. That he has affected to give all those that may be favourable to the Parliament, and to omit several which might serve to show the King's Innocence. 4. Lastly, That not informing us from whence he had his Stock, we have only his Authority for what he relates. This is a general Accusation, which were it well proved upon a good number of important and decisive Facts, is sufficient to shake the Credit of this Collector. The Reader will judge whether this Charge is made good with regard to the particular Cases upon which he is accused, and whether these same Cases are of such a Nature, that they ought to determine the Disinterested to make no account of his Collections. I shall take these particular Accusations from *Nalson's* Introduction to his Book, wherein his chief Aim was to cry down *Rushworth's* Sincerity, and perswade his Readers that they ought not to believe any Thing he advances. 'Tis very likely *Nalson* has forgot nothing upon this Occasion. I shall begin with the false Papers he accuses *Rushworth* of inserting in his Collections.

The first Paper *Rushworth* falsified, according to *Nalson*, is a Speech of King *James's* to the Parliament the 30th of *January* 1620. Instead of giving this Speech at large, *Rushworth* inserts only an Abstract of it. And therefore *Nalson* takes Care to print the true Speech, and *Rushworth's* Abstract in Columns, that they may be more easily compared together. He adds, that the whole Speech was communicated by *William Laud* Archbishop of *Canterbury*. Upon comparing *Rushworth's* Abstract with

the entire Speech, one finds but a single Passage of Moment which could give Occasion to charge *Rushworth* with Unfaithfulness. And that is where 'tis said in the Speech, *A Parliament is an Assembly composed of a Head and a Body, the Monarch is the Head, and the three Estates the Body.* Whereas it is said in the Abstract, *the Parliament is a Thing composed of a Head and a Body, the Monarch and the two Estates.* This is what obliges *Nalson* to exclaim against *Rushworth*, for reducing by his own Authority the three Estates, namely, the *Lords Spiritual*, the *Lords Temporal*, and the *Commons*, to two Estates, meaning thereby that the *House of Peers* made but one Estate.

This Question was debated with great Warmth, when the Exclusion of the Bishops out of the *Upper-House* was in Hand. For if the Bishops were one of the three Estates of Parliament, it was evident they could not be excluded without a Change in the Constitution. But this Opinion was not generally received. The *Commons* maintained, that the Bishops and Peers together made but one Estate. *Nalson* pretends therefore, that *Rushworth* to countenance the *Commons* Opinion, and justify the Exclusion of the Bishops, makes King *James* say what he did not. To prove this, besides the whole Speech, communicated by the Archbishop of *Canterbury*, he alleges several Things to show, that there have been all along three Estates acknowledged in the Parliament besides the King. He answers to the Objection drawn from *Charles I.* owning, after the Exclusion of the Bishops, that himself was one of the three Estates of Parliament, and concludes that *James I.* could not speak in his Speech of *Two*, but of *three Estates*.

A second Instance of *Rushworth's* Unfaithfulness is, that he gives only an Abstract of a Letter to the King from an unknown Hand, the Intent whereof was to show, that the Parliament attempted against the King himself, in attacking the Duke of

Buckingham. This Charge consists wholly in the Supposition that *Rushworth* abridged this Letter on purpose to hinder his Readers from perceiving all its Force.

The Third Infidelity *Rushworth* is guilty of, is, that he has published in his Appendix a scandalous Paper, called, *A Proposition for his Majesty's Service to bridle the Impertinence of Parliaments.* 'Tis true *Rushworth* says, this Paper was questioned in the *Star-Chamber.* But *Nelson* pretends, this was not enough to excuse *Rushworth*, who he says ought to have shown upon what Grounds it was questioned, which he does himself at large.

Rushworth's Fourth Infidelity is, that he inserts in his Collections, a pretended Letter of Archbishop *Abbot's* to *James I.* to dissuade him from granting a Toleration to the Papists, when he was upon the point of concluding the Prince his Son's Marriage with the *Spanish* Infanta. *Nelson* says upon this Subject, that the Archbishop being then out of Favour, and having nothing to do with the Management of Counsels, could have no other Foundation, but either his own Conjecture, or the common Rumour, both equally liable to deceive and to be deceived. He does not positively say however, that the Letter is a Forgery, but contents himself with insinuating so much, because *Rushworth* not having said how he came by the Letter, the Credit of it rests intirely upon his Honesty.

But the Fifth and most crying Unfaithfulness of *Rushworth*, according to *Nelson*, are the private Articles of Prince *Charles's* Marriage with the Infanta of *Spain.* He pretends they are all a Fiction, invented on purpose to blacken the King and Prince, by intimating that their Design was to restore the *Catholick* Religion in *England*, and brings several Arguments to prove the Forgery.

1. It is not probable the King and Prince should ever engage their Word for what they knew was not in their Power to perform, considering the Strength

and Constitution of the *English* Laws against Popery, and that the *English* Nation would never be brought to comply with it. This Argument is not one of the most convincing.

2. The Parliament never taxed *Charles* I. with these private Articles, not even in the Declaration where they heaped up all the Reasons which could justify their Resolution of not presenting any more Addresses to his Majesty. This is a much stronger Argument than the former.

3. In the Memoirs of *Déageant* 'tis said, the King of *France* hearing of King *James's* Death, says to the Archbishop of *Ambrun*, *All our hopes of England are lost.* Which shows that *Charles* had no intention to restore the *Catholick* Religion. One would think *Nalson* should have forbore to alledge this Reason, which in clearing this Prince, casts a great Blemish upon *James* I.

4. He says, *Rushworth*, by insinuating that *Charles* I. intended to restore the *Catholick* Religion, contradicts himself, since he tells us in another Place, that the Prince being in *Spain*, remained stedfast in his Religion, what Endeavours soever were used to seduce him.

5. *Rushworth* gives us no other Authority for the Truth of these private Articles, but his own Word, and in all Appearance, the *French Mercury* is his Author.

The Sixth Infidelity *Nalson* lays to *Rushworth's* Charge, is, the Pope's Letter to the Prince when he was in *Spain*, and the Prince's Answer. 1. Because it was a Thing of mere Ceremony. 2. In his Circumstances it was no more than what common Prudence and Policy obliged him to, in order to get out of the King of *Spain's* Hands. This Excuse shows *Nalson* was not thoroughly convinced of these Letters being a Forgery. He hints however that they might be counterfeit, by reason *Rushworth* alledges no other Authority but his own. 'Tis true he says the Copies of these Letters were preserved by some who

who were then at *Madrid*, but names no Body. This made *Nalson* believe *Rushworth* took the Letters out of the *French Mercury*.

I come now to the Charge against *Nalson*, of inserting in his Collections only what was advantageous to the Parliament, omitting what made for the King. *Nalson* gives three Instances in three particular Cases.

The First is, that in the Affair of imprisoning the Members of Parliament, several of the Judges gave their Opinions, to show that the King's Conduct was not against Law. *Nalson* says *Rushworth* is contented to mention the Speeches of two Judges, namely, *Whitlock's* and *Doderige's*, which were in Favour of the King, and to say that *Hide* and *Jones* delivered their Opinions to the same Purpose. This Charge therefore consists in that *Rushworth*, after giving the Speeches of two of the Judges, thought not proper to insert those of the rest who were for the King upon the same Principles. But *Nalson* pretends, he should likewise have given *Hide's* and *Jones's* Speeches, and does it himself. Indeed *Rushworth* may be guilty of some Partiality in omitting the two last, if it be true that they are stronger and better supported than the others, of which I cannot be Judge.

The Second Case is, that *Rushworth*, speaking of Serjeant *Ashley's* Discourse in the *House of Lords*, says he advanced the following Proposition, for which he was committed to Custody, and afterwards he recanted what he had said : *That the Lords must allow the King to govern by Acts of State, otherwise he is a King without a Council, or a Council without Power.* *Nalson* makes it a Crime in *Rushworth*, not to have given *Ashley's* whole Discourse, which would have shown that the Serjeant's Crime was rather stemming the popular Tide than any other Offence ; that is, according to *Nalson*, *Ashley* very justly maintained this Maxim, that the King must be allowed to govern by Acts of State. Such a Charge can do no great Injury to *Rushworth*.

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The Third Case relates to the famous Sir *Edward Coke*, who when he was Judge, was of Opinion that if the Privy-Council commit a Man, he is notailable by any Court of Justice. But afterwards, being turned out of his Office, and chosen Member of Parliament, he maintained the contrary Opinion. *Nalson* accuses *Rushworth* of concealing this Change in *Coke*, by castrating and abridging his Speeches, for fear his Readers should perceive that *Coke*, who was odious to the Court, was swayed by a Motive of Revenge in maintaining an Opinion opposite to that he had asserted when Judge.

This is all that has been laid to *Rushworth's* Charge. But I question whether the equitable and disinterested will be convinced that these particular Accusations ought to make him forfeit all his Credit. His Work is in eight Volumes in Folio, and contains so prodigious a Number of Facts, Votes, publick Speeches, and Papers of all kinds, that it would be a sort of Miracle, to meet with nothing to criticise upon. Nevertheless all possible Endeavours have been used to disparage him, by general Charges of Partiality, Unfaithfulness and Insincerity. And it was this that led me to say what I have said, in order to show what these general Accusations amounted to, when reduced to particular Cases.

'Tis however very certain that *Rushworth's* Aim and Design, in publishing his Collections, was to cry down the King's Conduct, and Favour the Parliament's Cause. But *Rushworth's* Intention signifies nothing to the knowing whether a Man may safely make use of his Collections. The only Question is, whether his Papers are true or false. If they are true, how injurious soever they may be to the King's Cause, whoever will write an impartial History of this Reign, is not obliged to reject them for that Reason. This is so true, that even the most devoted Historians to *Charles I.* have not been able to avoid making use of these same Papers, or of taking them for granted, because otherwise it would be impossible
to

to compose the History of this Reign, which is made up entirely of the Materials furnished by *Rushworth*. Had he begun his Collections no higher than with the Affairs of the Parliament of *November* the 3d 1640, the King's Friends would doubtless have readily forgiven him. But the Papers of the Twenty foregoing Years are too hard of Digestion, because they ill agree with the Scheme of the Royal Party, of which I shall speak presently, and because they too clearly discover that *Charles I.* designed to introduce Arbitrary Power, and consequently the long Parliament had very good Reason to hinder the full Execution of such a Design.

I don't see therefore any Reason why the Papers *Rushworth* has inserted in his Collections should be rejected, especially as both Parties have equally made use of them, though in a very different Manner. Some alledge them in Favour of the Parliament, whilst others bring them to support the King's Cause. But even in this, both the one and the other owned they were not only useful but absolutely necessary too. If there are some Passages that are combated as forged, they are very few in Number, and 'tis strange that after so many Exclamations against *Rushworth's* Concealments and Omissions, we find in the Writings of the King's Favourers, so few Papers of Moment that are not in his Collections.

I proceed now to those who writ in Vindication of the King's Cause, as *Franklin*, *Nelson*, and the Earl of *Clarendon*, omitting the other Authors of less note, to avoid being tedious.

These in compiling the History of this Reign, have formed two Schemes directly contrary to those of the Friends of the Parliament, though they have made use of *Rushworth's* Materials. As these Books were composed at a time when the Regal Authority was at a greater Height than ever, they have not scrupled to build upon the Plan of the King's having an absolute Power. Though they use not the Word, there is hardly a Page in their Writings where this Principle

Principle is not maintained or supposed. From hence it follows, that on the Parliament's Side, the Civil War was a manifest Rebellion. So the Proceedings of the Parliament which some represent as absolutely necessary for the Preservation of the Government, are accounted by others as Rebellions and Treasons, and tending to the Subversion of the Constitution of the State without being obliged to deny the Facts.

The second Scheme of the King's Party is no less contrary to that of the Favourers of the Parliament. These last pretend that the Parliament being sufficiently convinced by undeniable Proofs, of the King's Design to bring in Arbitrary Power, and alter the Constitution of the Government, thought themselves obliged to use their utmost Endeavours to prevent the Execution of this Project. This was the Scheme. The King's Friends formed a quite different one. They call the King's pretended Efforts to establish an Arbitrary Government, an idle Fancy, affirming what was termed absolute Power, was precisely what the Laws allowed the King. Indeed this was the Principle of *James I.* *Charles I.* *Charles II.* and *James II.* consequently, they pretended that to hinder the King from exercising such a Power, was opposing the Laws of the Land. But as it evidently appeared in the Reign of *Charles I.* that the Parliament and People were not of this Opinion, it was necessary to give some plausible Grounds of the Troubles caused by this Dispute in the same Reign. To that purpose, they have laid down a Scheme, which with the Principle of the King's absolute Power, is the Basis and Foundation of whatever they have writ. And that is, the Opposition King *Charles* met with proceeded not from the People's Belief that the King had gone beyond the Bounds of his Power, but from a Project formed long since, to alter the Constitution of the Church. That the *Presbyterians*, Authors of this Project, knowing the King's Stedfastness upon that Head, judged there was no other way to put it in Execution, but by
ruining

ruining the King, and stripping him of his Prerogatives. That to arrive at this Point, they instilled into the rest of the Parliament and Nation, groundless Suspicions and Jealousies, which they took Care to cherish by all imaginable means, till they came at length to an entire Breach, and to a War which proved so fatal to the King, and gave them Opportunity to establish *Presbyterianism* on the Ruins of the *Church of England*.

The Fault in these two Schemes is, that neither contains the whole Truth. The Parliament's Scheme ascribes all the Proceedings of both *Houses* solely to the Design of redressing past *Grievances*, and preventing the setting up an Arbitrary Government. 'Tis however certain, that several Members of the two *Houses* joined with that Design, the Intent of altering the Government of the Church, which could not be done but by the Ruin of the King. The Scheme of the Royalists has the same Fault, in that they impute to the Parliament but one single View, namely, to alter the Government of the Church, and making light of the Design to prevent the introducing of absolute Power, they pretended it was only a Contrivance or Pretense, to come with the greater ease to the main End, which was to establish *Presbyterianism*.

After having thus shown these two different Schemes, I think it needless to explain particularly in what manner *Franklin*, *Nelson*, and the Earl of *Clarendon*, apply theirs to the Facts agreed on by all the World. I shall content my self with observing that they omit no occasion to combat the Principles of the Parliament, or to impute to them Motives altogether different from those they pretended to act by. Herein their Aim was to hinder their Readers from being prepossessed with a belief, that the Parliament had the Good of their Country at Heart, or acted with any other Views than those they ascribed to them.

'Tis

It is easy to perceive by what has been said, how the Historians of the Reign of *Charles I.* may be different, nay contrary, according as the Authors have followed one or other of these two Schemes, without ever swerving from the same. And this is what has actually happened. The Histories of the two Parties, though built upon the same Facts, are so opposite to one another, that a Reader, who is not very attentive, or wants leisure to examine what is proposed to him, knows not where he is, when he sees this Opposition.

For my part, who am not engaged in either of the Parties, and aim only at Truth, I don't think my self obliged blindly to follow one or other of the two Schemes; but have laid down one composed of both, by adding to them what they want. I leave it to the Readers to judge, whether it hangs well enough together to give them a distinct Knowledge of the Affairs of this Reign. If I sometimes seem to incline to one Side, it is because I have no reason to go from the Truth, and am persuaded that the King and Parliament were both very much in the Wrong, though not always nor on the same Occasions.

This has induced me to cite throughout the History of this Reign scarce any other Author but *Rushworth*, though no Reign has more Writers. My reason was, because *Rushworth* has formed no Scheme, but contented himself with furnishing Materials common to both Parties, and of which both have made great use. But though I have carefully read and made Collections out of the Works of *Franklin*, *Nelson*, and the Earl of *Clarendon*, I did not think my self obliged to quote them, because they let no Fact, no Paper pass without applying their Scheme to it, which is not always agreeable to mine. It would therefore be very perplexing to the Reader to quote, in Proof of what I advance, Facts or Papers that are always followed with Reasonings often directly contrary to my Scheme. I thought proper to say thus much in my Justification, concerning the
Manner

Manner in which I have compos'd the History of this Reign. *

* It does not appear that *Rapin* ever saw *Whitlock's Memorials*, of which, doubtless, he would have made great use, since they contain many Things that never would have come to light, at least, not without some Preparation and Adjustment. For as the Author never intended his Work for the Publick, nor meant otherwise by it, than as a Book for his Memory and private Use, he had not any Temptations to prevaricate, nor can be well suspected of a Design to represent Things otherwise than faithfully to himself. All is naked here, and the Party more likely to suffer by the Truth, than the Truth to have any Violence in favour of a Party. His Book is entitled, *Memorials of the English Affairs, or an Historical Account of what passed from the Beginning of the Reign of Charles I. to King Charles II's happy Restoration, containing the publick Transactions Civil and Military, together with the private Consultations and Secrets of the Cabinet*. It is writ by way of Diary, though so much was the Author upon the Stage during all the Time of Action, that the Particulars of his Diary go very far towards a perfect History of those Times. The Translator designs to take from thence many useful Notes.





T H E
HISTORY of *ENGLAND*.

B O O K XX.

The Second Part of the REIGN of
CHARLES I.



HE King's Affairs were in a very ill Situation when the Parliament met. Instead of having subdued the *Scots*, as he had flattered himself, he had the Mortification to see them enter *England*, force the Passage of the *Tine*, defeat a considerable Body of his Army, and render themselves Masters of *Newcastle*. Moreover, he saw his own Troops not very forward to serve him. They consisted, for the most Part, of Soldiers listed against their Wills, in the several Counties, and prejudiced,

1640.
Nov. 3.
*State of
the King's
Affairs.*

1640.

like the rest of the Nation, against the Government. Besides, the Valour of the *Scots* being magnified by those who had been routed, and by the King's private Enemies, inspired the *English* Troops with some Terror. To this may be added, that the King wanted Money to pay them. He had nothing to depend upon but the Two Hundred Thousand Pounds borrowed of the City of *London*, till it should please the Parliament to furnish him with a Supply answerable to his Occasions. But he could hardly expect that the Parliament would be favourable to him. All the World was persuaded, he had called it against his Inclination, and because he could find no other way to get out of the Straits he had run himself into. What had passed in the Four Parliaments held since the Beginning of his Reign, the Dissolutions of these same Parliaments with Heat and Animosity, the Imprisonment of their Members, the Discontinuance of Parliaments for Twelve Years, the Taxes imposed by the King's sole Authority during that space, the Monopolies upon all sorts of Goods and Wares, the Decay of Trade, the open Protection granted by the King to the *Papists* and *Arminians*, the Severities exercised upon the *Presbyterians*, the Innovations in Religion, the almost universal Suspicion of a Design to introduce Popery, the excessive Authority usurped by the Council and *Star-Chamber*, the Corruption of the Judges, in a word, the Principles of Arbitrary Power asserted by the Court, bred an universal Discontent. The King was not ignorant of it, and till now had given himself no trouble about it. But he began to dread the Consequences of it, when he saw himself upon the Point of being exposed to the ill Humour of a new Parliament, who, probably, would not lose the Opportunity of labouring the Redress of *Grievances*, which the former Parliaments had in vain demanded. Nevertheless, he was so prejudiced and exasperated against the *Scots*, that he still flattered himself with the

the Hopes the new Parliament would look upon their entring *England* as an Invasion, as a War made, not upon the King but the Kingdom, and would furnish him with Means to drive them back into their Country, and chastise their Audaciousness. But it was not long before he perceived his Hopes were ill-grounded.

The Parliament met on the 3d of *November*, according to the King's Writs. There had never been a fuller Appearance, very few Members being absent. Every one looked upon this as the fairest Opportunity that could possibly offer, to cure the Evils of the Kingdom; and all the Members, except such as were entirely devoted to the King, were ready to contribute to the restoring the Government, according to its true and antient Constitution. This likewise was what the People expected. On the first Day, the King made the following Speech to both Houses.

The Parliament meets.
Clarend. I.
p. 169.

Ibid. 171.

My LORDS,

“THE Knowledge I had of the Desires of my
“*Scotish* Subjects, was the Cause of my calling
“the last Assembly of Parliament: wherein had I
“been believed, I sincerely think that things had
“not fallen out as now we see. But it is no wonder,
“that Men are so slow to believe that so great a
“Sedition should be raised on so little Ground. But
“now, my Lords and Gentlemen, the Honour and
“Safety of this Kingdom lying so near at the Stake,
“I am resolved to put my self freely and clearly on
“the Love and Affection of my *English* Subjects,
“as these of my Lords that did wait on me at
“*York*, very well remember I there declared.
“Therefore, my Lords, I shall not mention my
“own Interest, or that Support I might justly expect from you, till the common Safety be secured;
“though I must tell you, I am not ashamed to say,
“those Charges I have been at have been merely for
“the Security and Good of this Kingdom; though

The King's Speech as the opening of the Parliament.
Rush. IV.
p. 11.
Nelson I.
p. 481.

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“ the Success hath not been answerable to my De-
 “ fires: Therefore I shall only desire you to confi-
 “ der the best way both for the Safety and Security
 “ of this Kingdom; wherein there are two Parts
 “ chiefly considerable. First, The chastising out of
 “ *Rebels*: And Secondly, That other, in satisf-
 “ fying your just Grievances, wherein I shall pro-
 “ mise you to concur so heartily and clearly with
 “ you, that all the World may see my Intentions
 “ have ever been and shall be to make this a glori-
 “ ous and flourishing Kingdom. There are only
 “ two things that I shall mention to you: First, The
 “ one is to tell you, that the Loan of Money which
 “ I lately had from the City of *London*, wherein
 “ the Lords that waited on me at *York* assisted me,
 “ will only maintain my Army for two Months,
 “ from the beginning of that Time it was granted.
 “ Now, my Lords and Gentlemen, I leave it to your
 “ Considerations, what Dishonour and Mischief it
 “ might be, in case for want of Money my Army
 “ be disbanded before the Rebels be put out of this
 “ Kingdom. Secondly, The securing the Calamities
 “ the northern People endure at this time, and so
 “ long as the Treaty is on Foot: And in this I
 “ may say, not only they, but all this Kingdom will
 “ suffer the Harm: Therefore I leave this also to
 “ your Considerations, for the ordering these great
 “ Affairs, whereof you are to treat at this Time. I
 “ am so confident of your Love to me, and that
 “ your Care is for the Honour and Safety of the
 “ Kingdom, that I shall freely and willingly leave it
 “ to you where to begin. Only this, that you may
 “ the better know the State of all the Affairs, I have
 “ commanded my Lord-Keeper to give you a short
 “ and free Account of these Things that have hap-
 “ pened in this Interim, with this Protestation,
 “ That if this Account be not satisfactory as it ought
 “ to be, I shall, whensoever you desire, give you a
 “ full and perfect Account of every particular.
 “ One thing more I desire of you, as one of the
 “ greatest

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“greatest Means to make this a happy Parliament,
 “That you on your Parts, as I on mine, lay aside
 “all Suspicion of one another, as I promised my
 “Lords at York; it shall not be my fault, if this
 “be not a good and happy Parliament.

After the King had done speaking, the Lord-
 Keeper *Finch* made his Speech. He began with En-
 comiums of the King and Queen, and then endea-
 voured to persuade the two Houses, that the calling
 of the Parliament was wholly owing to his Majesty,
 who had taken the Resolution before he received any
Petition on that Subject (a). After that, he strove
 to show, though in a very general Manner, that the
Scots had violated the late Treaty, and that the
 King, against his Will, had taken Arms by the un-
 animous Advice of his Council, to reduce them to
 Obedience. He concluded with informing both
 Houses of what had passed as well in the beginning
 of the War as in the Conferences at *Rippon*.

*The Lord-
 Keeper's
 Speech to
 the Par-
 liament.*
 Rush. IV.
 12.
 Nelson I.
 p. 482.

The Commons being returned to their House, chose
 for Speaker *William Lenthall* a Benchman of *Lincolns-
 Inn*, who was proposed by Sir *Henry Vane* Secretary
 of State*. This Choice being accepted by the King,
 they appointed, according to Custom, a Committee
 to examine all Questions that might arise about Elec-
 tions, Returns, or other Privileges of the House.
 Then it was resolved that a Committee of the
 whole House should meet on certain Days of the
 Week to debate Matters relating to these five prin-

*Lenthall
 chosen
 Speaker.*
*The Com-
 mons set: to
 several
 Commit-
 tees.*
 Rush. IV.
 p. 171.
 Clarend.
 p. 171.

(a) And yet the Lord *Clarendon* ascribes the calling the Parlia-
 ment to the Advice of the great Council of *Peers* at *York*.

* The Lord *Clarendon* says, the King designed Sir *Thomas Gardi-
 ner*, Recorder of *London*, to be Speaker. But he could not get
 himself elected for *London* nor any other *Burrough*. And no
 wonder, if it be true as *Whitlock* says, that such a Spirit of Op-
 position to the Court Proceedings was in the Hearts and Actions of
 most of the People, that very few of that Party had the Favour
 to be chosen Members of this Parliament. *Clarend.* I. 169. *Whit-
 lock*, p. 35.

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principal Heads, *Religion, Grievances, Courts of Justice, Trade, and Ireland.* These were the Points that were the chief Causes of the Nation's Complaints and Murmurs; and by that, the *Commons* showed plainly enough, what they intended to set about.

As from the 3d of *November* 1640, to the 25th of *August* 1642, the History of this Reign wholly consists of the Transactions in Parliament, I think it necessary before all Things to make known this same Parliament, and the different Parties it was divided into. After which, it will be easier to perceive the Motives of its Acts and Resolves, and withal, the true Grounds of the Civil War that afflicted *England*.

*Disposition
of the
Parlia-
ment with
respect to
Grievan-
ces.*

*Clarend. I.
p. 171.*

First, It is certain there was hardly a Member of either *House* but what was disposed to procure the Redress of the *Grievances* so long complained of. These Grievances were so manifest, that it was almost impossible, without subverting the Constitution of the Government, to find plausible Reasons to justify the King's and the Ministry's Conduct, during the Fifteen foregoing Years. They were of such a Nature, that no Person was free from them, not even those who served for Instruments to lay them upon the People, though they were made amends in great measure some other way. In short, they were of such Consequence, that admitting the Principles whereon they were founded, the necessary Result was a total Subversion of the Government, and an arbitrary Power unknown to the *English* for many Ages. It may therefore be affirmed, that from the very beginning of this Parliament, the general Sentiment of both *Houses* was, that the present Opportunity of applying proper Remedies to the Evils of the Kingdom should not be let slip.

But the Members were divided about a main Point, which was however an Appendix of the general Disposition. Some were of Opinion, that after all the Grievances were redressed, the Government should be restored to its natural State, such as it was

before the Reigns of *James* and *Charles*, and that there was no necessity of making any Additions or Alterations. Others, on the contrary, thought, that after the Redress of Grievances it would be necessary to use some effectual Method, to put it out of the King's Power ever to invade again the Liberties of the People, and the Privileges of the Parliament. But these Men carefully concealed their Thoughts, least they should give occasion to the others to suspect that there was a Design to alter the established Government, and so cause them to oppose even the most reasonable Things, out of fear of the Consequences. They hoped to find or to start in time Opportunities enough to inspire the whole Nation with a Distrust of the King, and by that means to accomplish their Ends.

Such being the general Disposition of the Parliament, it is evident they ought to consider the Entrance of the *Scots* into *England* as a very considerable Advantage, put into the Hands of the *English* by Providence, to hinder the King from being able to break the Measures which might be taken against him. The King was under an absolute Necessity to keep up an Army for his Defence against the *Scots*, without having for that purpose other means than the Assistance of the Parliament. For the Times being changed, the imposing of arbitrary Taxes could not be practised any longer, upon which, in all likelihood, he had depended in the Beginning of the War, since, in a Month after his taking the Field, he had no Money to pay his Troops. So it was the Parliament's Interest to keep the King thus low, that he might not be able to oppose the Resolutions which should be taken by the two *Houses*. It is not therefore to be thought strange, that the Parliament did not much attend to what the King most desired, namely, to be enabled to chase the *Scots* out of the Kingdom, since, on the contrary, the Presence of the *Scots* gave the two *Houses* a Superiority they did not care to lose.

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With re-
spect to
Religion.

The Opinions were also much divided in the Parliament with respect to Religion. There were in the *Houses* rigid *Episcopalians*, who believed *Bishops* to be essential to Religion, and that without them there was no lawful *Ordination*, nor consequently any valid Administration of the *Sacraments*. Of this Number were the Bishops and the King's Party in the two *Houses*, almost to a Man. There were moderate *Episcopalians*, who being sincerely attached to the Church of *England*, had however somewhat different Notions about Episcopacy. They had a Veneration for Episcopal Government, as being very antient in the Church, and what they liked best. But though they had no design to alter it, they believed however it was not so absolutely necessary but that Religion might well subsist under another kind of Government. This was the prevailing Opinion, and espoused by a Majority in both *Houses*. Wherefore one may venture to say, that in the Beginning of this Parliament, the Members in general had no Intention to strike at the Government of the Church, established in *England* after the Reformation.

But there was in the two *Houses* another Party more powerful by the Ability of their Leaders than by their Number. I mean that of the *Presbyterians*, who were divided also into *moderate* and *rigid*. The Former had no other view but to obtain some Liberty and Security against Persecution. The Latter were of another Stamp. They considered Episcopal Government as repugnant to the Word of God, and the Jurisdiction of the Bishops as a real Tyranny. These were the particular Objects of the Hatred of the King, Ministry, Bishops, and the greatest Part of the *Clergy*, because their Principles tended to the utter Destruction of the Church of *England*. For that reason they believed there was no Safety for them but in an entire Change of *Episcopal* into *Presbyterian* Government. But they easily perceived that to attain their Ends, the King must be disabled from opposing them, well knowing that as long as it was in

in his Power, he would never consent to this Change. Their Number was however so inconsiderable, that they would have made no Figure in the Parliament, had they not been supported by the *Scots*, without whose Aid nothing was to be done. Moreover, among these rigid *Presbyterians*, lay concealed a certain Set of Men known afterwards by the Name of *Independents*, who held concerning *Civil* as well as *Ecclesiastical* Government, uncommon Opinions, which they took care not to explain fully, till they found Occasion to publish them to the World. They were contented for some Years to conceal themselves among the rigid *Presbyterians*, that they might strike the surer at a proper Season. It was the particular Interest of these Men to manage so, that the Government of the State might be changed, or rather overthrown, well knowing their Party could never subsist but in Anarchy. And therefore, without discovering their Intentions, they improved all Occasions to sow and cherish Discord between the King and Parliament. The whole *Presbyterian* Party was directed by the Heads of the rigid *Presbyterians* and *Independents*, Men of great Parts, who without discovering themselves any more than was necessary, seemed to confine their Designs to the Redress of Grievances, which was the general Aim of the Parliament, and wherein almost all were unanimous. They found a double Advantage in this Conduct. First, they hereby removed all Suspicion of their intending to change the Government of Church or State, and withal prevented an Union between the rest of the Members, who would not have failed to join in opposing such a Change. The second Advantage was that by being wholly intent at first upon the Redress of Grievances, they had frequent Occasions of exclaiming against the King's former Administration, and fomenting the Parliament's Distrust and Jealousy on his account. For it was by that chiefly they hoped to be able to bring about their Projects.

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This being the Temper and Constitution of the Parliament, 'tis easy to see the Reason why the *Commons* were so intent at first upon the Redress of Grievances, as well Publick as Private. A vast Number of *Petitions* upon that Subject were presented to them in a few Days after their Meeting. Many Members were likewise charged with the like *Petitions* from their Burroughs and Shires, and several very mortifying Speeches to the King and his Ministers were made in the House *. Of all these Speeches I shall insert only one, which sums up all the publick Grievances the People thought they had reason to complain of. It is that of Mr. *Pym*, Member for *Tavistock* in the County of *Devon* *1.

Mr. Speaker,

*Pym's
Speech a-
bout Grie-
vances.
Rush. IV.
p. 21.*

“ **T**O redress Grievances will not hinder, but
“ further the Service of the King: To take a-
“ way the Weights, does as much advantage Motion,
“ as to add Wings.
“ I shall first instance several Heads of those Grie-
“ vances we labour under. 2. Demonstrate them to
“ be as hurtful to the King, as to the People. 3.
“ That the Remedies will prove equally good to
“ both of them.

“ The

* *Arthur Capel*, (afterwards Lord *Capel*,) presented a Petition for *Hertfordshire*, Sir *John Packington* for *Worcestershire*, Sir *John Culpepper* for *Kent*, Sir *Philip Musgrave* for *Westmoreland*, Sir *Francis Seymour* for *Wilts*, (these turned afterwards for the King) *Henry Bellasis* and *Ferdinando Fairfax* for *Yorkshire*, Sir *John Wray* for *Lincolnshire*, Sir *Edmund Mountford* for *Norfolk*, Sir *Thomas Barrington* for *Essex*, *William Pierpoint* for *Shropshire*. *Rush. IV.* p. 21.

*1 The Author by mistake has inserted in his History Mr. *Pym's* Speech which he spoke the 17th of *April*, in the last Parliament, and of which mention is made in Vol. X. p. 411. I have therefore taken the true Speech instead of it, as it is found in *Rush. IV.* p. 21.

“ The King can do no Wrong ; The Law casts
“ all Miscarriages upon the *Ministers* : Thus the In-
“ fluence of Heaven conveyeth Vigour into sublunary
“ Creatures ; but the Malignity of all Epidemical
“ Diseases proceedeth from the ill-affected
“ Qualities of the Earth or Air.

“ There are a Threefold sort of Grievances :
“ 1. Some against the Privilege of Parliament. 2.
“ Others to the prejudice of Religion. 3. Some against
“ the Liberty of the Subject. For the first,
“ The Members are free from Arrests ; to have Liberty
“ of Speech ; a *Legislative, Judiciary, and Conciliar*
“ *Power* ; being the same to the Body Politick,
“ as the Faculties of the Soul is to a Man.

“ These Privileges have been broken : First, in
“ restraining the Members from speaking. 2. In
“ forbidding the Speaker to put a Question : Both
“ of these practised in the last Parliament. 3. By
“ Imprisoning divers Members for Matters done in
“ Parliament. 4. By Proceedings against them for
“ the same in the inferior Courts. 5. Enjoyning
“ them to give Security for their good Behaviour,
“ and continuing them in Prison, even to the Death.
“ 6. In abrupt Dissolutions of Parliament : the great
“ Grievance ; like the Execution of a Man, without
“ being heard ; It receives a Being by the Summons,
“ and a Civil Death by Dissolution ; not only
“ thereby to dye, but to be made *Intestabiles*, un-
“ capable of making their *Wills*, the good Acts that
“ they were about.

“ The Second is, Encouragement of Popery :
“ First, By *Suspension* of Laws against them : Now
“ 'tis certain, there can be no Security from Papists,
“ but in their Disability ; their Principles are in-
“ compatible with any other Religion ; Laws will
“ not restrain them, nor *Oaths* ; for the Pope dis-
“ penseth with both ; and his Command acts them
“ against the Realm in Spirituals and Temporals in
“ *Ordine ad Spiritualia*, Henry the Third, and Henry
“ the Fourth of France, were no Protestants, yet
“ were

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“ were murthered because they tolerated Reforma-
 “ tion. 2. By allowing them Places of Trust and
 “ Honour in the Commonwealth. 3. Their free re-
 “ sort to *London*, and to the Court ; to communi-
 “ cate their Counsels and Designs, diving into the
 “ Secrets of State. 4. That as they have a Congre-
 “ gation of Cardinals at *Rome*, for advancing the
 “ Pope’s Authority in *England* ; so have they a Nun-
 “ cio here for the Execution thereof.

“ Then as to *Innovations* of Religion introduced :
 “ First, Maintenance of *Popish Tenets*, in Books,
 “ Sermons, and Disputations. 2. Practice of *Po-
 “ pish Ceremonies* countenanced and enjoined, as Al-
 “ tars, *Images*, Crucifixes, Bowings, &c. These I
 “ may in some respect compare to the *dry Bones* in
 “ *Ezekiel* ; which first came together, then *Sinews*
 “ and *Flesh* came upon them, afterwards the *Skin* co-
 “ vered them, and then *Breath* and *Life* was put in-
 “ to them ; so first the *Form*, then the *Spirit* and
 “ *Life* of Popery was to come amongst us. 3. Pre-
 “ ferment of Persons popishly affected. 4. The
 “ Discouragement of Protestants by over-rigid Pro-
 “ secutions of the scrupulous for Things indifferent :
 “ No Vice made so great as *Inconformity* ; by punish-
 “ ing without Law, for not reading the Book for
 “ *Sundays Recreations* ; for not removing the Com-
 “ munion-Table otherwise ; for not coming to the
 “ *Rails* to receive the Communion ; for Preaching
 “ on the Lord’s Day in the Afternoon ; for *Catechi-
 “ sing* otherwise than as in the short *Catechism* in the
 “ Common-Prayer-Book. 5. By Incroachment of
 “ Ecclesiastical Jurisdiction ; particularly, 1. In
 “ *Fining* and Imprisoning without Law. 2. Chal-
 “ lenging their Jurisdiction to be appropriated to
 “ their Order *Jure Divino*. 3. Contriving and Pub-
 “ lishing new Articles of Visitation, new Canons ;
 “ and the boldness of Bishops, and their subordinate
 “ Officers and Officials.

“ As

“ As to the third sort of Grievances, I shall observe rather the Order of Time when they were acted, than the Consequence ; but when we come to the *Cure*, it will be but to begin with the most important.

“ There is first, *Tunnage and Poundage*, and the late new Books of Rates taken by Prerogative, without Grant of Parliament ; from whence these Inconveniences follow : 1. Men’s Goods are seized, their Suits stopt. 2. Misemployment of the Sums of Money imposed ; for though intended for the *Guard of the Seas*, they are disposed to other Uses, and a new Tax raised for the same Purpose. 3. The Burthen excessive, Trade hindered, Home Commodities abased, and Foreign Inhanfed ; by which Means the Stock of the Kingdom is diminished, especially Insupportable to the poor Planters in *America*, by the Tax upon Tobacco.

“ There is *Composition for Knighthood* ; which though it refers to a former Custom, yet upon the same Grounds, the King may renew it by a new Fine ; immoderate Multiplications of Distress and Issues, and enforce them to compound with the Commissioners. An Inundation of *Monopolies* undertaken by Papists, and full of Mischief. 1st. By impairing the Goodness, and inhanfing the Price of *Salt, Soap, Beer, Coals, &c.* 2dly, under Colour of which, Trade was restrained to a few Hands. 3dly, Many Persons thereupon illegally imprisoned.

“ But the great and unparallel’d Grievance is the *Ship-Money*, being aggravated, not supported by the Judgment, which is not grounded upon Law, Custom, Precedent or Authority : It being improper for a Case of Necessity ; and abounding in Variety of Mischief. As 1st, The general Extent to all Persons, all Times, and the Subject less remediless. 2dly, The Arbitrary Proportion without Limits. 3dly, Imposed by Writ, and disposed by Instructions. Improper, for the Office of a
“ Sheriff

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“ Sheriff in the Inland Counties, and inconvenient
 “ for the Inhabitants ; without Rule or fuitable
 “ Means for the levying or managing of it.

“ The Enlargements of *Forests* beyond the Bounds
 “ of the Statutes, 27 and 28 *Edw.* 1. which Perambu-
 “ lations then were the Cause of that famous *Charta*
 “ *de Foresta* ; And now reviving these old Questions,
 “ new Distempers may follow, and particular Obli-
 “ quities we may already observe, and surreptitious
 “ Proceedings, as in *Essex* ; yet that Verdict was en-
 “ forced in other Counties, and a Judgment upon
 “ the Matter after three or four Hundred Years
 “ quiet Possession of the Subject, who thereupon is
 “ forced to compound for great Fines.

“ The felling of *Nusance* : The King as a Father
 “ of the Commonwealth, is to take Care of the
 “ Publick Commodities and Advantages of the Sub-
 “ jects, as Rivers, Highways, and Common-Sewers,
 “ by ordinary Writs, *Ad quod Damnum* : But now
 “ by a Courie Extrajudicial, by inforcing Compo-
 “ sitions ; so then, if really it be a Nusance that is
 “ compounded for, 'tis an hurt to the People ; if no
 “ *Nusance*, then 'tis a grand Prejudice to the Party.

“ The Commission for *Buildings* about *London*,
 “ was presented as a Grievance in the time of King
 “ *James* ; now much more increased, and much
 “ more prejudicial.

“ The Commission for *Depopulations* began some
 “ few Years since ; by both these Commissions, the
 “ Subject is restrained from disposing of his own ;
 “ demolishing their Houses, punishing and fining
 “ their Persons for that, for which they are still lia-
 “ ble by Law ; for the King cannot Licence a Nu-
 “ sance ; and though these are not Nusances, yet it
 “ is of ill Consequence to be compounded for, and
 “ may make a Precedent for Kings to Licence such
 “ Things as are Nusances indeed.

“ Military Charges ought not to be laid upon the
 “ People by Warrant of the King's Hand, nor by
 “ Letters of the Council-Table, nor by order of the
 “ Lords

“ Lords Lieutenants of Counties, nor their Deputies.
“ It began to be practised as a Loan for Supply of
“ *Coat and Conduct Money* in Queen *Elizabeth's* Time,
“ with promise to be re-paid it, as appears by a
“ *Constat* Warrant in the *Exchequer*, and certain Pay-
“ ments : But now-a-days never re-paid. The first
“ Particular brought into a Tax was, the *Muster-*
“ *Master's Wages* ; which being but for a small Sum,
“ was generally digested : Yet in the last Parlia-
“ ment, it was designed to be remedied. But now
“ there follows *Pressing* of Men against their Wills,
“ or to find others. 2dly, Provisions for publick
“ Magazines for Powder, Spades, and Pickaxes.
“ 3dly, Salary of Officers, Cart-Horses, Carts, and
“ such like.

“ The Extrajudicial Declarations of Judges with-
“ out hearing of Council or Argument : A teeming
“ Grievance, productive of many others.

“ Monopolies countenanced by the Council-Ta-
“ ble, and the Clause in their Patents of Monopo-
“ lies, commanding the Justices of Peace to assist
“ them ; whereby the great Abilities of that ho-
“ nourable Board, receive a Stain by such Matters
“ of so mean a Report in the Estimation of the Law,
“ so ill in the Apprehension of the People.

“ The High-Court of *Star-Chamber*, called in the
“ Parliament Rolls *Magnum Concilium*, to which the
“ Parliaments were wont to refer such Matters as
“ they had not Time to determine : A Court erect-
“ ed against Oppression, a Court of Councils, and
“ a Court of Justice, now an Instrument of erecting
“ and defending Monopolies, to set a Face of pub-
“ lick Good to Things pernicious.

“ That great and most eminent Power of the
“ King in *Edicts* and Proclamations, called *Legis*
“ *Temporis*, used heretofore to encounter with sud-
“ den and unexpected Danger, till the *Great Council*
“ of the King could be called, hath of late been ex-
“ ercised for injoining and maintaining Monopolies.
“ But the last and greatest Grievance leads us a Step
“ higher,

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“ higher, even as high as Heaven, as the Throne of
 “ God, his Word and Truth. The ambitious and
 “ corrupt Clergy, *Preaching* down the Laws of God,
 “ and *Liberties* of the Kingdom ; pretending Di-
 “ vine Authority and absolute Power in the King,
 “ *to do what he will* with us ; and this Preaching is
 “ the High-way to Preferment ; as one *Manwaring*
 “ sentenced in the former Parliament for this Doc-
 “ trine, then a Doctor, is now become a Bishop. The
 “ Intermiſſion of Parliaments contrary to the Statute,
 “ whereby they were to be called *once a Year*, is the
 “ main Cause of all these and other Mischiefs, to
 “ which Parliaments give Remedy.

“ These Grievances are as well hurtful to the King
 “ as to the Subjects, by interrupting their Commu-
 “ nion ; they have need of his general Pardon, and
 “ to be secured from *Projectors* and *Informers* ; to be
 “ freed from obsolete Laws, and from the subtle
 “ Devices of such who seek to strain the Preroga-
 “ tive to their own private Advantage, and the Pub-
 “ lick Hurt ; and the King hath need of them for
 “ *Counsel*, for Support. Queen *Elizabeth's* victori-
 “ ous Attempts, were for the most part carried on
 “ upon the Subject's Purses, and not upon her own ;
 “ though the Honour and Profit were hers. These
 “ Discontents at home diminish the King's *Reputa-*
 “ *tion* abroad ; and disadvantage his Treaties, and
 “ weaken his Party beyond Sea, by encouraging *Po-*
 “ *pery* ; by forcing the Subjects to leave the King-
 “ dom, to the Prejudice of the King's Customs and
 “ Subsidies. As for Instance, divers *Clothiers* forced
 “ away, who set up their Manufacture abroad to
 “ the hurt of the Kingdom.

“ The King hath received upon the Monopoly of
 “ *Wines, Thirty Thousand Pounds per Ann.* The Vint-
 “ ner pays forty Shillings *per Tun*, which comes to
 “ Ninety Thousand Pounds ; the Price upon the Sub-
 “ ject by Retail is increased Two-pence a Quart,
 “ which comes to eight Pounds a Tun, and so forty
 “ five Thousand Tun brought in Yearly, amounts
 “ to

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“ to *Three Hundred Sixty Thousand Pounds*; which
 “ is three Hundred and thirty Thousand Pounds less
 “ to the Kingdom, above the King's Receipt.

“ Now the Remedies, and removing these Grievances, consist of two main Branches, in *declaring the Law* where 'tis doubtful, and in providing for the Execution of the Law where it is *clear*. But these I refer to a further time, and for the present advise speedily to desire a Conference with the Lords touching *Grievances*; and always to humble our selves for God's Assistance.

As Mr. Pym, who spoke this Speech, was one of the leading-Men in the *House of Commons*, he was extremely applauded, and the more that in giving a Summary of all the publick Grievances, he had forbore to use any disrespectfull Terms against the King or his Ministers. This Speech was followed with another by Sir *Benjamin Rudyard*, who to intimate that there was a settled Design to introduce Popery and Arbitrary Power into *England*, expressed himself after this manner :

They have so brought it to pass, that under the Name of Puritans, all our Religion is branded; and under a few hard Words against Jesuits, all Popery is countenanced. Whosoever squares his Actions by any Rule, either Divine or Humane, he is a Puritan; whosoever would be governed by the King's Laws, he is a Puritan; he that will not do whatsoever other Men would have him do, he is a Puritan: Their great Work, their Master-piece, now is to make all those of the Religion, to be the suspected Party of the Kingdom.

Expressions of a Member about the Persecution of the Puritans.
 Nov. 7.
 Rush. IV.
 p. 24.
 Nalfon. I.
 p. 491.

These Speeches were backed with so great a Number of Complaints and Petitions concerning Grievances both Publick and Private, that the *House* was divided into above forty Committees upon this single Article, according to the different Nature of the Complaints. But before the particular Examination

1940. of these Grievances was entered upon, the *Commons* thought fit to desire the Concurrence of the Lords to move the King, that he would be pleased to appoint a *Fast*, which met with no Opposition either from the Lords or the King. Then they appointed a Committee to examine what Number of *Papists* were in and about *London*, and how they were armed. As the King [by a Message] had acquainted them with his Intent to issue out a Proclamation against *Recusants*, this Committee was empowered to examine the same after it should be published, and see how it was executed.

A Motion to make a Remonstrance of the State of the Kingdom. Nov. 9. Rush. Nalson. I. p. 507. Two Days after, on the 9th of *November*, the *House* going upon the *Grievances*, the Lord *Digby*, Son of the Earl of *Bristol*, made on that Subject a Speech, which [he concluded with making this Motion, That a select Committee may be appointed to draw out of all that has been complained of such a REMONSTRANCE as may be a faithful and lively Representation to his Majesty of the deplorable Estate of the Kingdom *]. Very probably this Motion had been resolved among the Leaders, because they were apprehensive of the King's being against the Redress of Grievances, and because in that Case it was necessary to let the People see the Necessity of this Redress, by setting forth wherein consisted the Grievances of the Nation. The Lord *Digby's* Motion being approved of, the *House* appointed a Committee of Twenty-four to prepare the *Remonstrance*. But because the King showed a greater Compliance than was expected, this *Remonstrance* was not drawn up till above a Year after, and on another Occasion.

Committee appointed to draw it up. It is deferred.

One

* In this Speech he mentions among other Things, the *new Canon-Oath*, and says, " My Opinion of this Oath is, that it is a Covenant against the King for Bishops; as the *Scottish Covenant* is against the King and Bishops, only so much worse than the *Scottish*, as they admit not of the Supremacy in Ecclesiastical Affairs, and we are sworn to it." Rush. Vol. IV. p. 22. *Whitlock* p. 36.

One of the Members * who had spoken upon the *Grievances*, having chiefly insisted upon the *Monopolies*, it was voted that all such Members as directly or indirectly had any share in, or Benefit from any *Project* or *Monopoly*, should be disabled to sit in the *House*, and that Mr. *Speaker* should issue out Writs to chuse others in their room. There were afterwards four expelled the *House* upon that account *¹.

During the four or five first Days, the *House of Commons* was almost wholly taken up with receiving *Petitions* and Complaints, as well from private Persons, as from Burroughs and Shires. Amongst the private *Petitions* the most remarkable were those of *Bastwick*, *Burton*, *Pryn*, *Lilborn*, *Leighton*, *Jennings*, *Smart* *². These Men complained of the exorbitant

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C 2

Clarend. I. Pains p. 199.

* Sir John Culpepper.

*¹ *Whitlock* says, many Members thereupon withdrew themselves, and new Elections were made in their room. p. 37.

*² Dr. *Bastwick* a Physician, wrote a reproachful Book against the Bishops, particularly against *Laud* and *Juxon*.

Burton a Divine, who had been formerly Closet-Keeper to the King, printed likewise two smart Tracts (says *Whitlock*) against Episcopacy. For which Books he and *Bastwick* were fined 5000*l.* apiece, condemned to lose their Ears in the Pillory, and to be imprisoned, the one in *Lancaster-Castle*, the other in *Lancaster-Castle*.

Pryn. See Vol. X. p. 282. These three were afterwards removed, *Pryn* to a Castle in *Jersey*, *Bastwick* to *Silly*, and *Burton* to *Guernsey*, from whence by order of Parliament they were brought to *London*. *Pryn* and *Burton* landing at the same time at *Southampton*, were received with extraordinary Demonstrations of Esteem, their Charges bore, and liberal Presents given them. This Method and Ceremony kept them Company all their Journey, and so many People met them upon their Approach to *London*, that they were carried into the City by above ten Thousand Persons, with Boughs and Flowers in their Hands. *Clarend.* Vol. I. p. 202.

The Lord *Clarendon* observes, that as these three Men were of the three Professions which had most influence upon the People, though they had formerly been looked upon under Characters of Reproach, yet when they were exposed on Scaffolds to have their Ears cut off, and Faces branded with hot Irons like common and signal Rogues, Men began no more to consider their Manners but the Men; and each Profession with Anger and Indignation enough,

1640.

Grievances
of private
Persons re-
dressed.

Pains and Penalties inflicted on them by the *Star-Chamber* and *High-Commission*. As I intend not to dwell upon the Affairs of private Persons. I shall only say in two Words, that within the space of about a Year, the *Commons* found Time to examine all these *Sentences* one after another, and make the Members of the *Star-Chamber* who had given their Votes, suffer for it, by condemning them to pay all the Costs and Damages to the Parties. The Reparations to *Bastwick*, *Pryn*, and *Burton*, were fixed to above four Thousand Pounds each (a). All the other Complaints of private Persons, whether against the Courts of Justice, or the *Star-Chamber* and *High Commission*, or certain Bishops and Deans who laboured more than the rest to introduce Innovations in Religion were heard. The *Commons* took a Pleasure to mortify in their Turn, those who had made it their Business to stretch the Prerogative Royal, in persecuting the *Puritans*, or rather such as did not bear the Yoke patiently, who were confounded, under that Name, with the *Presbyterians*.

If

nough, thought their Education and Degrees, and Quality, would have secured them from such infamous Judgments. and treasured up Wrath for the time to come. Vol. I. p. 94, 95.

Lilburn for taking *Pryn's* part, to whom he had been Clerk, was condemned to be whipped, and to stand on the Pillory. He is said to receive 500 Stripes.

Leighton a Physician, Father of Dr. *Leighton* Archbishop of *Glasgow*, for writing a Book called *Sion's Plea against Prelacy*, was thrown into a noisom Prison, fined ten Thousand Pound, stood in the Pillory twice, having one Ear cut off, one Nostril slit, and one Cheek fired, with 36 Lashes each Time.

Alexander Jennings of *Buckinghamshire*, for refusing to pay Ship-Money, was imprisoned in the Fleet, by Warrant of the Council, without any Cause expressed, and the Court of *King's Bench* had refused to Discharge or Bail him when brought thither by *Habeas Corpus*.

Smart Canon of *Durham*. having in 1628, printed two Sermons against Innovations in the Church of *Durham* by Dr. *Cofins*, was by the High Commission of *York* deprived of his Prebend and Living, fined 500 l. and imprisoned many Years.

(a) *Nelson* pretends that the Sentence in the *Star-Chamber* against *Bastwick* was not only just, but that he deserved even Death, if he had not had to do with the most merciful of Kings.

If the *Commons* thought it incumbent on them to do Justice to private Persons who had suffered any Injury during the first fifteen Years of this Reign, it may well be imagined, they omitted not to redress the Grievances of the whole Nation. This was their principle Business during the first Year of their Sitting. Though the Parliament was composed of several Parties who had not all the same Views, they were however unanimous with respect to the Redress of *Grievances*. Those of the Members who were most devoted to the King, durst not oppose the general Sense, some because they thought the Thing just, others, not to lose their Labour, and for fear of rendering themselves too suspected.

1640.
The Publick Grievances redressed also.

Among those who had contributed most to the publick Mischiefs, the Archbishop of *Canterbury* was considered as one of the chief and most worthy of Punishment, as being Author of the Innovations in the Church, Promoter of the War with *Scotland*, Persecutor of the *Presbyterians*, and Head of the *Arminians*. The Earl of *Strafford* was likewise of this Number, because he had so entirely devoted himself to the King, that in his two great Offices of President of the Court of *York*, and Lord-Lieutenant of *Ireland*, he had no other View but to stretch the Prerogative Royal, and increase the King's Revenues. His proud and haughty Carriage had given no less Offence to the Publick than his Actions, whereby he strove to establish an Arbitrary Power. He was accused of advising the King to transport his *Irish* Army into *England*, to subdue such as would oppose his Will. Though he was highly in the King's Favour, he had nevertheless made himself many Enemies at Court, and in the Kingdom, who earnestly sought Occasions to ruin him. The Lord-Keeper *Finch*, was looked upon also as a pernicious Counsellor, wholly devoted to the King, and ready to do any Thing towards establishing a despotick Government. It was not doubted but he was the Man that corrupted the

Principal Authors of the Grievances. Laud.

Strafford.

Finch.

1640.
Winde-
bank.
Clarend.I.
p. 178.

Judges in the Business of *Ship-Money*. Sir Francis *Windebank*, one of the Secretaries of State, was reckoned the Patron of the *Catholicks*, and it was by his Means that the condemned *Priests* and *Jesuits* escaped one way or other the Sentence passed against them. In short, the Judges of the Realm had rendered themselves extremely odious to the People, as well by the Judgment they had given in Mr. *Hambden's* Affair, as by a Thousand other Acts of Injustice to private Persons. These were the principal Authors of the *Grievances* whom the *Commons* intended to bring to exemplary Punishment.

The Judg-
es.

The Earl of
Strafford
is accused
of High-
Treason.
Rush. IV.
p. 42.
Nelson I.
p. 520.
Clarend.I.
p. 173.

The Earl of *Strafford* was the first on whom the Storm fell. The 11th of *November*, Eight Days after the opening of the Parliament, Mr. *Pym* having desired and obtained his Desire of the *Commons*, that the Doors of the House might be locked, and the outward Room cleared of Strangers, informed them, that there were several Complaints against the Earl of *Strafford*, which ministred good Ground to accuse him of High-Treason. Upon this Information the House immediately appointed a Committee of Seven*, who withdrawing into another Room, and conferring together, reported, presently after, that it was their Opinion, there was just Cause to impeach the Earl of *Strafford*. Then Mr. *Pym* was ordered to go to the House of Lords, and accuse the Earl of High-Treason, in the Name of all the *Commons*. He had Orders likewise to tell the Lords, that in due time the *Commons* would produce the Articles of Accusation, and in the mean time desired the Accused might be put into safe Custody. The Earl of *Strafford* was that very Day come from the Army, and had taken his Place in the House of Lords. Before he left the Army, he had received notice that there was a Design to attack him. But whether through Pride, or a Belief that having done nothing without the King's Warrant,

* *Pym, Strode, St. John, the Lord Digby, Sir John Clotworthy, Sir Walter Earl and Hambden.*

Warrant, he was secure, he slighted the Advice, and would be present in the Parliament. Indeed, some Months before, the King's Protection was more than sufficient to screen him from all Danger. But the Face of Affairs was altered, and it is strange a Person of so great a Genius, and so good Sense, could imagine the King was able to protect him in such a Juncture.* However this be, upon the Commons Impeachment, the Lords committed him forthwith to the Custody of *the Black-Rod*, and some Days after sent him to the *Tower*. As this Affair was spun out till the Month of *May* the next Year, I shall defer speaking of it, till I come to the Time of this famous Trial, and shall continue to relate, without Interruption, what concerns the Redress of *Grievances*, and the Punishment or Accusation of the Authors of them.

1640.]

He is sent
to the
Tower.

Secretary *Windebank* was attacked next. Several *Petitions* were presented against him to the *House*, whereof he was Member, complaining that as Secretary of State, he had issued out Warrants under his own Hand for the Discharge of Prosecutions against *Priests*, and for their Release out of Prison. All these *Petitions* tended to show that he lost no Opportunity to countenance the *Papists*, and gloried in being owned for their Patron. I do not know whether

Winde-
bank is
cited.
Rush. IV.
p. 71.

* *Whitlock* says, it was considered at *York*, whether the Earl should repair to the *House*, or continue in the *North* with the Army. The Earl humbly desired his Majesty to excuse his going to the Parliament, alledging, *He should not be able to do him any Service there, but rather be a Means to hinder his Affairs, and besides, in case they should fall upon him, he being at a distance might the better retire from Danger, &c.* The King, notwithstanding all he could say, insisted upon the Earl's coming up to Parliament, and told him, *As he was King of England he was able to secure him from any Danger, and the Parliament should not touch one Hair of his Head.* So in Obedience to the King's Commands the Earl came up to *London*, but not, as *Rapin* says, the same Day he was impeached, but a few Days before, *Whitlock*, p. 36. The Lord *Clarendon* says, it was believed he came to the House that Day, to accuse the Lord *Say* and some others of having induced the *Scots* to invade the Kingdom. Vol. I. p. 175.

1640:

He flies in-
to France.
Rush. IV.
p. 91.
Jan. 11.

De' a'es
upon the
Convoca-
tion.
Rush. IV.
p. 100.
Nation I.
p. 533.

he made outward Profession of the *Roman Catholick* Religion. Be that as it will, he was summoned several times to come to the *House*, and answer to what was laid to his Charge. But he believed it his wisest Course to avoid the impending Storm and withdraw into *France*. As soon as he was out of danger, he wrote to the Earl of *Pembroke*, Lord High-Chamberlain, a Letter deploring his Misfortune, and intimating that if he were guilty, it was only for having served the King faithfully and obeyed his Orders. *

The *Convocation*, their *Canons*, *Oath*, and the *Tax* they had laid upon the *Clergy* to aid the King in his War with *Scotland*, were next taken into Consideration by the *House*. This Business was debated with great Warmth. Several Members made, upon this Occasion, Speeches tending to show that the King could not, by his Authority, turn the *Convocation* into a *Synod*. They alledged for Reason, that the *Clergy* who composed it, could not act but as Members of the *Convocation*, because, to be empowered to act as Members of a *Synod*, they ought to have been elected by the People, and it did not appertain to the King to make this Election as he pleased. That the *Convocation* or *Synod* had not Power to make *Canons* for the whole Nation, without the Consent of the People themselves, nor consequently without the Intervention of the Parliament. That most of the *Canons* were unjust in themselves, and tended to the Increase of the *Clergy's* Power, to the Prejudice of the King's Authority, and the People's Liberties. That by these *Canons* the *Convocation* assumed a Power above the Parliament. That the *Oath* they imposed was strange, doubtful, contrary to the Privileges of the Parliament, and the Rights of the People, and obliged

* Sir Francis Windebank had been *Laud's* Pupil, and was made Secretary by his Recommendation. In his Letter to the Earl of *Pembroke* are these Words, *What I am guilty of none knows so well as his Majesty, whom I have served faithfully, diligently, painfully, and with as true and loyal a Heart, according to my poor Abilities, as any other whatsoever.* *Nelson*, I. p. 652.

1640.

obliged Men to swear to things as necessary, which might be altered without any detriment to Religion. For instance, supposing it were true that *Bishops* are *Jure Divino*, which the Church of *England* never acknowledged,* it could not be affirmed that *Archbishops*, *Deans* and *Archdeacons* are of *Divine* or *Apostolick* Institution, and yet he that took this Oath was made to swear that he would never consent to the altering the Government of the Church by *Archbishops*, *Bishops*, *Deans*, *Archdeacons*, &c. That by this Oath, the Representatives of the Nation would be so tied up, that although the Parliament has Power to alter the Government of the Church, they would not be able so much as to debate upon that Subject, by reason of their Oath. Upon these and many other Reasons, which I omit to avoid Tedioufness, the *Commons* voted unanimously, *Nemine Contradicente*,
 1. That the *Clergy* of *England* convened in a *Convocation* or *Synod*, or otherwise, have no Power to make any *Constitutions*, *Canons*, or *Acts* whatsoever,
 in

Votes concerning the
 Convocation.
 Rush. IV.
 p. 112.

* The Words of Mr. *Nathanael Fienes's* Speech are, "Whether *Bishops* be *Jure Divino*, we know is a Dispute among the *Papists*, and never did any *Protestant* hold it till of late Years. But that *Archbishops*, *Deans*, *Archdeacons*, &c. should be *Jure Divino*, I do not know that ever any Christian held it before, and yet he that takes this Oath must swear it." *Rush. IV.* p. 109. Sir *Edward Deering* began his Speech about the *Canons* to this Effect: "The Pope (say they) has a *Triple Crown*, answerable thereto he pretends to a Threefold Law: The First is, *jus divinum*, and this he would have you think to be the Coronet next his Head, that which secures his Power. The Second is, *jus humanum*, *Constantine's Donation*, the Gift of indulgent Princes, *Temporal Power*; this is his *Middle Crown*: Out of these Two the Pope frames his Third Crown himself, and sets it upon the Top; that is, *jus canonicum*, the *Canon Law*, of more use to his Popeship than both the other.— Just so our Prelates from the pretended Divinity of their *Episcopacy*, and from the *Temporal Power* granted by our Princes, would now obtrude a New Canon-Law upon us." He concludes with saying, "No *Canons* can bind the *Laitie*, where we have no Voice of our own, nor Choice of the *Clergy-Persons* who do found them, nor assent in the *Susception* of them after they are framed; *Quod omnes tangit, ab omnibus tractari debet.*" *Rush. IV.* p. 104.

1640.

in Matters of *Doctrine, Discipline*, or otherwise, to bind the *Clergy* or *Laity* of the Land without common Consent in Parliament. 2. That the *Canons* treated upon by the late *Convocation* do contain Matters contrary to the King's Prerogative, to the fundamental Laws and Statutes of the Realm, to the Rights of Parliament, to the Property and Liberty of the Subjects, tending to Sedition, and of dangerous Consequence. (a) *

Immediately after these Resolutions, the *House* appointed a Committee of Thirty-six, to examine who were the chief Promoters of these *Canons*, and how they had been put in Execution: to consider in particular how far the Archbishop of *Canterbury* had been concerned in the great Design of subverting the Laws of the Land and Religion: and to draw up a Charge against him and such others as should appear guilty of the same Crime. The *Scottish* Commissioners who were sent to *London* to continue the Treaty begun at *Rippon*, were, as I said, in good understanding with the leading Members of the *Commons*, and in all appearance, they had been informed of the Design to prosecute the Archbishop. And therefore, to make the Blow fall the heavier on this Prelate, by joining their Complaints with those of the *Commons*, they presented next Day to the Lords, Articles of Impeachment against him, to this Effect:

The Articles of Accusation against him.

Rush. IV.

p. 113.

Nalson V.

I. p. 603.

“ That he was the Cause of all the Troubles in
“ *Scotland*: That he was the Author and Urger of
“ introducing into *Scotland* the Book of Canons, and
“ the Liturgy, as was manifest from Fourteen Letters

of his which they offered to produce: That

“ the

(a) * It was voted likewise, *Nemine Contradicente*, that the several Grants of the Benevolence or Contribution granted to his most excellent Majesty by the Clergy in their late Convocation are contrary to the Laws, and ought not to bind the Clergy.
Rush. IV. p. 112.

(a) Some pretend these Votes were very unjust; if so, it is strange no one Member should be against them. The Lord *Clarendon* freely owns, that the *Canons* were unwarrantable, even in a most favourable Season.

the *Scotch* Prelates having sent to him a Book of Canons, written upon the one Side only, with the other Side blank, he had made several Interlinings, and filled up the blank Pages with several Directions ; which Changes and Supplements were taken from the *Romish Rituals*, that varied from the *Book of England* : That they were contrary to the King's Intentions, who in his large Declarations had professed, That all the Variations in the *Scotch* Service from that of *England*, should be only in such things as the *Scotish* Humours would better comply with it. But that the Archbishop had no regard to this. On the contrary, the *Scotish* Prelates having petitioned, that somewhat might be abated of the *English* Ceremonies, as the *Cross* in Baptism, the *Ring* in Marriage, and some other things ; he had been so far from retrenching any of them, that he had added many more: That in the Order of the Administration of the Communion in the *Book of England* he had made several Alterations, which plainly shewed his Design of introducing Popery in *Scotland* : That he had kindled War between the King and the *Scots* ; and been one of the chief Causes of breaking the last *Pacification*, and renewing the War : That he had inserted into the *Divine Service* a Prayer against their Nation, by Name of *Traiterous Subjects*, having cast off all Obedience to their anointed Sovereign, and coming in a rebellious Manner to invade England, that Shame might cover their Faces as Enemies to God and the King."

I have very much abridged these Articles, which are very large and particular: but what is here said, is sufficient to show their Scope and Design.

On the Morrow Sir Harbottle Grimston made in the House a Speech against the Archbishop, wherein he pretended to show, that all those who had any Hand in the Miseries of the State, as the Earl of Strafford, Rush. IV. p. 122.

1640.

Laud is
accused
and sent
to the
Tower.

Strafford, the Bishops of *Chester*, *Oxford**, *Ely*, *Bath* and *Wells*, had been raised by his Means, and that there was not a single *Grievance* but what he was concerned in. Upon this and several Complaints, the *Commons* impeached the Archbishop of High-Treason, and the Lords put him into the Custody of the *Black-Rod*. Some time after he was sent to the *Tower*.

Then the *Commons* sent a Message to the Lords to let them know, they had received Informations of a very high Nature against *Matthew Wren* Bishop of *Ely*; and having heard that he intended to make his Escape out of the Kingdom, they desired them to think of some way to prevent it. Whereupon the Lords ordered the Bishop to give Ten Thousand Pound *Bail* for his forth-coming, which he consented to.

The Lord
Finch
voted a
Traitor,
and flies
into Hol-
land.
Rush. IV.
P. 124.

Of those whom the *Commons* looked upon as the chief Authors of the publick *Grievances*, there remained only the Lord-Keeper *Finch* and the Judges. The first was declared a Traitor by a Vote of the *House of Commons*, notwithstanding the [eloquent] Speech he was permitted to make at the Bar of the *House* in his Vindication. But before he was accused in form, he fled into *Holland*. However, he was impeached afterwards though absent. Presently after his Flight, the King made Sir *Edward Littleton* Lord-Keeper.

Littleton
made Lord
Keeper.
Three
Judges are
obliged to
give Bail.
Rush. IV.
P. 130.
Nelson I.
P. 621.

In fine, the *Commons* sent word to the Lords, that they had received Informations against Three Judges, Sir *John Bramston*, Lord Chief-Justice of the King's Bench; Sir *Humphrey Davenport*, Lord Chief-Baron; and Justice *Crawley*, and desired the *House* that they might put in good Security for their Appearance. Whereupon, the Lords obliged these Three Judges to give Ten Thousand Pound *Bail* each. The other Judges were likewise accused afterwards.

Thus

* *John Bancroft* Bishop of *Oxford* was possessed with such Fear of this Parliament, that he died about this time with little or no Sicknes.

1640.

Thus the Persons who were considered by the Commons as the principal Authors of the publick Grievances, were disabled not only to continue to advise the King, but also to escape Punishment, except the Lord Finch and Sir Francis Windebank, who saved their Persons by leaving their Estates in *England*. I shall not stay to speak of many others of an inferior Rank, who were variously punished, whether for exercising *Monopolies*, or inventing Means to raise the King Money, whether for introducing or countenancing Innovations in Religion, or lastly, for prevaricating in the Exercise of their Offices.

Whilst the Commons were busy in securing the Persons of such as they intended to punish, they prepared likewise whatever was necessary to free the Nation from all their Grievances. The same Method was used to this End, as had been employed against the Persons. That is to say, *Petitions* from all Quarters were presented to the House upon Grievances. These *Petitions* being read, several Speeches were made in the House, to show how prejudicial these Grievances were to the Publick, and the Principles were chiefly insisted upon which gave them Birth, as being directly contrary to the Constitution of the Government, and tending to its Subversion. Whereupon, it was voted that such a Thing was illegal, and ordered that a *Bill* should be prepared to abolish it. This was the Subject of divers *Acts*, which were presented to the King for the Royal Assent from the 3d of November 1640, to the 10th of August 1641. The principal were these:

Method of
the Com-
mons to
redress
Grievan-
ces.

An *Act* for a *Triennial* Parliament: That is to say, to ordain that a Parliament should be held, at least every Three Years, though the King should neglect to call it, that the Inconveniencies arising from a too-long Intermision of Parliaments might be prevented. (a)

Acts pas-
sed in
1640 and
1641, for
redress of
Grievan-
ces.

An

a) Passed February 15. 1640-1.

1640,

An *Act* to abolish the *Star-Chamber* and *High-Commission*. (b)

An *Act* to reduce the *Forests* to the same State they were in under *Edward I.* (c)

An *Act* to repeal the *Statutes* made in the Reign of *Edward II* concerning *Knighthood*. (d)

An *Act* to permit any Subject to make *Salt-petre* and *Gun-powder* throughout the Kingdom. (e)

An *Act* to abolish *Ship-Money*. (f)

Clarendon. I.
p. 288.

The Necessity of these *Acts* was so manifest, that the King must have either consented to them, or plainly declared he would govern with an absolute Power. But he was not so unwise as to oppose them in his present Circumstances. An illustrious Historian makes no scruple to say, that *these ACTS will be acknowledged by an incorrupted Posterity, to be everlasting Monuments of the King's fatherly Affection to his People; and such an Obligation of Repose and Trust from his Majesty in the Hearts of his Subjects, that no Expressions of Duty and Confidence from them could have been more than a sufficient Return on their Parts.* The King himself afterwards would often have had these Concessions to be considered as Acts of pure Grace, which the Publick ought to have been obliged to him for. But unhappily for him, neither Parliament nor People were persuaded that they proceeded from his Justice or Affection to them, but rather from the Necessity he was under of giving his Assent.

Proceed-
ings of the
Commons
by Votes.

Besides these *Acts*, the *Commons* passed many general *Votes* upon other Matters. Indeed, these *Votes* are not considered as Laws, neither do the Judges go by them in their Determinations. Nevertheless, such is their Effect, that few Persons are so hardy as to

(b) Passed *August 7. 1641.*

(c) Passed *August 10. 1641.*

(d) Passed *July 3. 1641.*

(e) Passed.

(f) Passed *August 7. 1641.*

et directly contrary to these kinds of Decisions of the *House of Commons*, since it is in some measure to oppose the Sense of the People whom they represent. Besides, an Action directly repugnant to what has been voted, is liable to be brought into question when it is least expected, and draws upon the Person that does it the Indignation of the *House*, who have Opportunities enough to make him feel the Effects of their Resentment.

The *Commons* Aim was not only to stop the Evil by means of these *Votes*, but also to terrify all those who had been concerned in the *Grievances*, in order to take from the King all hopes of support in his People. For after the *House* had voted, for Instance, that such a *Monopoly* was illegal, if any Person who had a Hand in that *Monopoly*, behaved in a manner disagreeable to the *Commons*, or appeared too much attached to the King, an Accusation against him was the certain Consequence of such a Behaviour. By that, the King's most devoted Friends chose rather to relinquish his Interest than be liable to a Charge, which they plainly saw it was not in the King's Power to screen them from. This had very clearly appeared by the great Examples of the Earl of *Straford*, Archbishop *Laud*, Lord-Keeper *Finch*, and Secretary *Windebank*, after whom no private Person could hope for any Protection from the King. Thus the *Commons* rendered themselves so formidable in the very beginning of the Parliament, that the King found himself on a sudden deserted by all the World, without having other Refuge than to consent to whatever was proposed by the Parliament. He hoped however, that when all the *Grievances* were redressed, he should be, if not in the same State he had been for Fifteen Years, at least in the natural State of a King of *England*, according to the Laws and the Constitution of the Government. But it will be seen hereafter how much he was mistaken in his Conjecture. His former Administration had made too deep Impressions in the Minds of his Subjects, for

The Commons render themselves formidable. The King is forced to consent to every thing.

1640.

the Majority ever to be persuaded that he would for the future be contented with the Power allowed him by the Law. This Distrust was the Stumbling-block and immediate Cause of the War between the King and Parliament. But it is not time yet to enter into this Carreer.

*Another
Method to
declare
People De-
linquents.*

The *Commons* made use likewise of another Expedient to make themselves feared. As there were a bundance of People who in Conformity to the Intentions of the Court, had been concerned in the *Monopolies*, or countenanced the Innovations, or helped to introduce and support what was the Subject of the *Grievances*, the *Commons*, upon the *Petitions* presented to them against these Men, sent for them to *London*, and examining them by a Committee, declared them *Delinquents*. As much as to say, that according to the Opinion of the *House*, they were guilty of Faults or Offences for which they deserved to be prosecuted and punished according to Law. This Term of *Delinquent* was very much in use during the Continuance of this Parliament. Thus, a great Number of Persons who had been most noted for their Adherence to the Maxims of the Court, or the Principles of the Archbishop, were voted *Delinquents*, and thereby kept in awe by the *Commons*, who had it in their Power either to prosecute or let them alone, according as they behaved well or ill to them. But the Number of those who were declared *Delinquents* was nothing in comparison of such as had reason to fear the like Declaration, upon the least *Petition* against them. From hence there followed an unanimous Approbation of whatever was done by the *House*; some consenting because they thought the Things just, and others out of fear of Chastisement. This is what rendered the Redress of *Grievances* much easier to the *Commons*, and would have made it impracticable for the King to oppose it, should he have had any such Thoughts. The King reaped at least this Advantage from his Consent to the Redress of *Grievances*, that he gave occasion to many to be-
lieve

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lieve, he heartily concurred in that Work. But his Enemies drew from thence quite another Consequence. They said, the Parliament's Measures being so well laid, that it would have been in vain for the King to oppose them; they were not obliged to him for a Consent, which Necessity forced him to, since, as long as he had it in his Power to hinder the Redress of *Grievances*, he had always refused to hearken to the instant Desires of his Parliaments.

I am now to warn my Readers, that we are come to a Time wherein they must be very much upon the Guard with respect to the Partiality of the Historians, each of whom does his utmost Endeavour to prejudice his Readers either in favour of the King, or in favour of the Parliament. This Partiality does not consist so much in disguising the Facts, wherein both Parties are pretty well agreed, as in the Principles they laid down. Those that are for the King, exalt, as high as possible, the Prerogative Royal. Nay some stretch it even to a sort of despotick Power, as we have seen Instances in the Writings and Sermons of *Sibthorp*, *Mountague*, *Manwaring*, of whom we have spoken in the former Part of this Reign. According to this Principle, they think and maintain that the Parliament's Aim was not to restore the Government to its natural State, as was given out, but rather to overturn the Constitution both of Church and State. That upon this Account it was that Objects were so much magnified, by aggravating some Acts of Authority done by the King, as tending to subvert the Government, though they might be supported by the Prerogative Royal, if any but the *Commons* had been Judges. But tho' they manifestly declared themselves Parties against the King, they nevertheless made themselves Judges, voting such and such things done by the King, to be contrary to the Laws. Nothing is a clearer Evidence, according to these Men, of the Parliament's secret Design to overthrow the Government, and a stronger Proof cannot be desired than the Experience of what afterwards

Warning
concerning
the Partiality of
Historians.

1641. happened, when the Government of the State and that of the Church were actually changed.

The Favourers of the Parliament say, that without examining how far the Prerogative Royal reaches, it may at least be affirmed, that it cannot be contrary to the Laws: That if the King has his Prerogatives, the Parliament have their Privileges, and the People their Liberties, which the Prerogative cannot invade without destroying the Constitution of the Government, which consists in a happy Mixture of the Rights of King and People. That it was evident, before this Parliament the King had stretched his Prerogative to the Prejudice of the Nation's Rights, which the most attached to his Interests did not dare to deny. That this being the Case, nothing was more just, nothing more necessary than to restore the Government to its natural State. That it is therefore beside the Purpose to have recourse to a secret Design of subverting Church and State, since the Necessity of redressing the *Grievances* was undeniably evident: That supposing it were true that the *Commons* used sundry Artifices to render themselves formidable, and the more easily attain their Aim, namely, the Redress of *Grievances*, these Artifices were not blameable, considering how impracticable the former Parliaments had found it to execute the same Design.

I am persuaded that the greatest Part of the Readers for whom I write this History, such, I mean, as are not *Englishmen*, would not have me to enter into a particular Account of all that passed in the *House of Commons* relating to the Redress of *Grievances*. It would be too tedious a Work, which after all, would inform them of nothing more material than what has hitherto been said. Nevertheless, for the Satisfaction of those who are unacquainted with the Manner of Parliamentary Proceedings, I shall give here a brief Relation of what was done with regard to *Ship-Money*, the *Grievance* most complained of,

*Proceed-
ings in
Parlia-
ment upon
Ship-Mo-
ney.*

of, and by that will be seen the Method taken with respect to the rest. 1640.

During the first whole Month of this Session, scarce a Day passed but the *House* received *Petitions* from divers Counties, touching *Grievancees*, amongst which, that of *Ship-Money* was never forgotten. At last, on the 5th of *December*, the Day appointed to debate upon that Matter, the Lord *Falkland* (a)*, who was afterwards Secretary of State made the following Speech to the *House*.

Mr. Speaker,

“ I Rejoyce very much to see this Day ; and the
 “ Want hath not lain in my Affection but my
 “ Lungs, if to all that hath been past I have not
 “ been as loud with my Voice as any Man in the
 “ House ; yet truly my Opinion is, we have yet
 “ done nothing, if we do no more ; I shall add what
 “ I humbly conceive ought to be added, as soon as
 “ I have said something with reference to him that
 “ says it. Lord Falkland's
Speech,
Decem. 5.
Rush. IV.
p. 86.
Nelson. I.
p. 576.

“ I will first desire the Forgiveness of the House
 “ if ought I say seem to intrench upon another's
 “ Profession, and enter upon the Work of another
 “ Robe. Since I have been intrusted by the Report
 “ of a learned Committee, and confirmed by the
 “ uncontradicted Rule of the House, since I shall
 “ say nothing of this kind but in order to something
 “ further, and which moves me most to venture my
 “ Opinion, and to expect your Pardon, since I am
 “ confident that History alone is sufficient to shew
 “ this Judgment contrary to our Laws, and Logick
 “ alone sufficient to prove it destructive to our Pro-
 “ priety, which every free and noble Person values

(a)* There are Lords who are not *Peers*, as all the Sons of a Duke and Marquiss, and the eldest Son of an Earl, who may be chosen Members of Parliament, as may also *Irish* and *Scotch* Peers. The Viscount *Falkland* was an *Irish* Peer, and Member for *Newport*.

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“ more than his Profession ; I will not profess I
 “ know my self, but all those that know me, know
 “ that my natural Disposition is to decline from Se-
 “ verity, much more from Cruelty. That I have
 “ no particular Provocation from their Persons, and
 “ have particular Obligations to their Calling, a-
 “ gainst whom I am to speak ; and though I have
 “ not so much knowledge in Law, yet far more than
 “ I have use for ; so I hope it will be believed, that
 “ only publick Interest hath extorted this from me,
 “ and that which I would not say, if I conceived it
 “ not so true, and so necessary that no undigested
 “ Meat can lie heavier upon the Stomach, than this
 “ unsaid would have lain upon my Conscience. *Mr.*
 “ *Speaker*, the Constitution of the Commonwealth
 “ hath established, or rather endeavoured to esta-
 “ blish to us the Security of our Goods, and the Se-
 “ curity of those Laws which would secure us and
 “ our Goods, by appointing for us Judges so settled,
 “ so sworn, that there can be no Oppression, but
 “ they of Necessity must be accessory ; since if
 “ they neither deny, nor delay us Justice, which
 “ neither for the Great nor Little Seal they
 “ ought to do, the greatest Persons in this King-
 “ dom cannot continue the least Violence upon the
 “ meanest ; but this Security, *Mr. Speaker*, hath
 “ been almost our Ruin, for it hath been turned, or
 “ rather turned itself into a Battery against us : And
 “ those Persons who should have been as Dogs to
 “ defend the Sheep, have been Wolves to worry
 “ them. These Judges, *Mr. Speaker*, to instance
 “ not them only, but their greatest Crime, have
 “ delivered an Opinion and Judgment in an extra-
 “ judicial Manner, that is, such as comes not within
 “ their Cognizance, they being Judges, and neither
 “ Philosophers nor Politicians ; in which when that
 “ which they would have so absolute and evident takes
 “ place, the Law of the Land ceases, and that of
 “ general Reason and Equity, by which particular
 “ Laws at first were framed, returns to his Throne
 “ and

“ and Government, where *salus populi* becomes not
“ only Supream, but *sola lex*, at which, and to
“ which End, whatsoever should dispense with the
“ King to make use of any Money dispenses with us,
“ to make use of his, and one anothers. In this
“ Judgment they contradicted both many and learn-
“ ed Acts, and Declarations of Parliaments; and
“ those in this very Case, in this very Reign, so that
“ for them they needed to have consulted with no
“ other Record, but with their Memories.

“ 2. They have contradicted apparent Evidences
“ by supposing mighty and imminent Dangers in the
“ most serene, quiet, and halcion Days that possibly
“ could be imagined, a few contemptible Pyrates,
“ being our most formidable Enemies, and there be-
“ ing neither Prince nor State, with whom we had
“ not either Alliance or Amity or both.

“ 3. They contradict the Writ it self, by suppo-
“ sing that supposed Danger to be so sudden, that
“ it would not stay for a Parliament, which required
“ but forty Day's stay; and the Writ being in no
“ such haste, but being content to stay forty Days
“ seven times over.

“ Mr. *Speaker*, it seemed generally strange, that
“ they saw not the Law, which all Men else saw,
“ but themselves; yet though this begot the more
“ general Wonder, three other Particulars begot the
“ more general Indignation. The first of all the
“ Reasons for this Judgment was such, That there
“ needed not any from the adverse Party to help
“ them to convert those few, who before had not
“ the least Suspicion of the Legality of that most
“ illegal Writ, there being fewer that approved of
“ the Judgment, than there were that judged it le-
“ gal, for I am confident they did not that them-
“ selves.

“ Secondly, when they had allowed to the King the
“ sole Power in Necessity, the sole Judgment of
“ Necessity, and by that enabled him to take both
“ from us, what he would, when he would, and

1640.

“ how he would, they yet continued to perswade
 “ us that they had left us our Liberties and Pro-
 “ perties.

“ The Third and Last is, and which I confess mov-
 “ ed most, that by the Transformation of us from
 “ the State of free Subjects (a good Phrase, Mr.
 “ *Speaker*, under Dr. *Heylin's* Favour) unto that of
 “ Villains, they disable us by legal and voluntary
 “ Supplies to express our Affection to his Majesty,
 “ and by that to cherish his to us, that is, by Par-
 “ liaments. Mr. *Speaker*, the Causes of all the Mi-
 “ series we have suffered, and the Cause of all our
 “ Jealousies we have had, that we should yet suffer,
 “ is, that a most excellent Prince hath been most
 “ infinitely abused by his Judges, telling him that
 “ by Policy he might do what he pleased; with the
 “ first of these we are now to deal, which may be a
 “ leading to the rest. And since in providing of
 “ these Laws, upon which these Men have trampled,
 “ our Ancestors have shewn their utmost Care and
 “ Wisdom for our undoubted Security, Words hav-
 “ ing done nothing, and yet they have done all that
 “ Words can do, we must now be forced to think
 “ of abolishing of our Grievances, and of taking a-
 “ way this Judgment, and these Judges together,
 “ and of regulating their Successors by their exem-
 “ plary Punishment.

“ I will not speak much; I will only say we have
 “ accused a great Person of High-Treason, for in-
 “ tending to subvert our fundamental *Laws*, and to
 “ introduce Arbitrary Government; which we sup-
 “ pose he meant to do, we are sure these have done
 “ it, there being no Laws more Fundamental than
 “ that they have already subverted, and no Govern-
 “ ment more absolute, than that they have really
 “ introduced.

“ Mr. *Speaker*, not only the severe Punishment
 “ but the sudden removal of these Men, will have a
 “ sudden Effect in one considerable Consideration,
 “ we only accuse, and the House of Lords condemn;

“ in

“ in which Condemnation they usually receive Advice (though not Direction) from the Judges ;
“ and I leave it to every Man to imagine how prejudicial to us, that is, to the Commonwealth, and how partial to their fellow Malefactors, the Advice of such Judges is like to be. How undoubtedly for their own sakes, they will think it may conduce to their Power, that every Action be judged to be a less Fault, and every Person to be less faulty, than in Justice they ought to do :
“ Amongst these, Mr. *Speaker* there is one I must not lose in the Croud, whom I doubt not but we shall find, when we examine the rest of them with what Hopes they have been tempted, by what Fears they have been assayed, and by what, and by whose Importunity they have been pursued, before they consented to what they did ; I doubt not, I say, but we shall find him to have been a most admirable Solicitor, but a most abominable Judge ; he it is who not only gave away with his Breath, what our Ancestors had purchased for us by so large an expence of their Time, their Care, their Treasure, and their Blood, and employed his Industry as great as his Injustice, to perswade others to join with him in that Deed of Gift : But strove to root up those Liberties which they had cut down, and to make our Grievances immortal, and our Slavery irreparable, least any part of our Posterity might want occasion to curse him ; he declared that Power to be so inherent to the Crown, as that it was not in the Power even of Parliaments to divide them.

“ I have heard, Mr. *Speaker*, and I think here that common Fame is Ground enough for this House to accuse upon ; and then undoubtedly there is enough to be accused upon in this House ; he hath reported this so generally, that I expect not that you shall bid me name him whom you all know, nor do I look to tell you News, when I tell you 'tis my Lord-Keeper ; but this I think fit to put

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“ you in Mind of, that his Place admits him to his
 “ Majesty, and trusts him with his Majesty’s Con-
 “ science; and how pernicious every Moment must
 “ be, which gives him means to infuse such unjust
 “ Opinions of this House, as are exprest in a Libel,
 “ rather than a Declaration, of which many believe
 “ him to be the principal Secretary, and the other
 “ puts the most vast and unlimited Power of the
 “ Chancery into his Hands, the safest of which will
 “ be dangerous: For my part, I think no Man se-
 “ cure, that he shall think himself worth any Thing
 “ when he rises, whilst all our Estates are in his
 “ Breast who hath sacrificed his Country to his Am-
 “ bition, whilst he who hath prostrated his own Con-
 “ science, hath the keeping of the King’s, and he
 “ who hath undone us already by wholesale, hath a
 “ Power left in him by retale.

“ Mr. *Speaker*, in the beginning of the Parliament
 “ he told us, and I am confident every Man here
 “ believes it before he told it, and never the more
 “ for his telling, though a sorry Witness is a good
 “ Testimony against himself, that his Majesty never
 “ required any Thing from his Ministers but Justice
 “ and Integrity. Against which, if any of them
 “ have transgressed, upon their Heads, and that deser-
 “ vedly, it ought to fall; it was full and truly said,
 “ but he hath in this Saying pronounced his own
 “ Condemnation; we shall be more partial to him
 “ than he is to himself, if we be slow to pursue it.

“ It is therefore my just and humble Motion, that
 “ we may chuse a select Committee to draw up his
 “ and their Charge, and to examine their Carriage
 “ in this Particular, to make use of it in the Charge,
 “ and if he shall be found guilty of tampering with
 “ Judges against the publick Security, who thought
 “ tampering with Witnesses in a private Cause wor-
 “ thy of so great a Fine (a), if he should be found
 “ to

(a) This alludes to a Fine of 20,000 l. which *Williams* Bishop of *Lincoln* was condemned to pay for tampering with a Witness.

to have gone before the rest to this Judgment, and
to have gone beyond the rest in this Judgment,
that in the Punishment of it, the Justice of this
House may not deny him the due Honour both to
precede and exceed the rest.

1. That the Charge imposed upon the Subjects for the providing and furnishing of Ships, and the Assessments for raising of Money for that purpose, commonly called *Ship-Money*, are against the Laws of the Realm, the Subjects Right of Property, and contrary to former Resolutions in Parliament, and to the *Petition of Right*.

Ship-Money voted illegal. Rush. IV. p. 88. Nalson, I. P. 582.

2. That the extrajudicial Opinions of the Judges published in the *Star-Chamber*, and enrolled in the Courts of *Westminster* in these Words, ——— in the whole, and in every part of them, are against the Laws of the Realm, the Subjects Right of Property, and contrary to former Resolutions in Parliament, and to the *Petition of Right*.

3. That the Writ following ——— and the other Writs commonly called the *Ship-Writs*, are against the Laws of the Realm, the Right of Property, and the Liberty of the Subjects, and contrary to former Resolutions in Parliament, and to the *Petition of Right*.

After these Resolutions the *House* appointed a Committee of Sixteen, at the Head of whom was the Lord *Falkland*, to go forthwith to the several Judges to know in what manner, and by whom they were *solicited* or *threatned* to give their extrajudicial Opinion concerning *Ship-Money*. It was ordered that all the Judges should be examined at the same time by two of the Committee, that they should be acquainted what had been voted in the *House* touching that Matter, and that the Committee should ask such Questions as they should think material to the Execution of this Order.

Committee to examine the Judges.

Next

1640.
*Precaution
 concerning
 the King's
 Arbitrary
 Acts.*
 Rush. IV.
 p. 89.

*An Order
 to prepare
 a Charge
 against the
 Lord Finch*

*The Lords
 cancel the
 Judgment
 in Mr.
 Hambden's Case.*
 Rush. IV.
 p. 194.

Next Day, the *House* ordered that the Committee appointed to consider of the Propriety of the Subjects in their Goods, should take into Consideration some way of seeing the entering upon Record, the King's several Commissions for *Loans* and *Excise*, and the Resolutions of former Parliaments thereon; the Addition that was offered by the Lords to the *Petition of Right*, with the Resolution of the *House*; the Resolutions of the Questions proposed in the *House* concerning *Ship-Money*, that they may remain fair to Posterity. It was referred also to the same Committee to make a Preparation of the *Vote* passed about *Ship-Money*, to be sent up to the Lords; to draw up a Charge against the Lord *Finch*, and the rest of the Judges that gave their Opinion upon that Tax; to take into Consideration their extrajudicial Opinions and the Judgments in the Case of *Ship-Money*; to enquire of the several Denials of *Habeas Corpus*, and Prohibitions, their extrajudicial Proceedings and Opinions concerning *Ecclesiastical Jurisdictions*, and the Court of *Admiralty*; their denial of legal and ordinary Proceedings in Cases of Justice, and the binding of the whole Kingdom by any one Man's particular Case. The same Committee had Power to send for Parties, Witnesses, Papers, Records, or any Thing else that might conduce to this Business, and were to present the State of the whole Matter to the *House*.

On the other Hand, the 26th of *February* 1640, the Lords ordered to be brought to their *House* the Record in the *Exchequer* of the Judgment in Mr. *Hambden's Case*, and also the Rolls in the *Star-Chamber* and other Courts, wherein the extrajudicial Opinions of the Judges were entered, and caused them to be annulled in their Presence. They ordered moreover, that a Copy of what they had done should be delivered to the Judges to be published at the *Affizes* in every County within their Circuits, and that an Act of Parliament should be prepared concerning this Matter.

All this produced at length Charges against the Lord-Keeper, and each of the several Judges, with an *Act* to abolish *Ship-Money*, to which the King gave the Royal Assent on the 7th of *August* 1641.

1640.
Bill a-
gainst
Ship-Mo-
ney has
the Royal
Assent.

Much the same Method was taken with regard to the other *Grievances*, and in the end, there was not one, publick or private, but what was redressed within the nine first Months of this Session.

I intend not to include in these *Grievances*, those concerning Religion. Besides that these were not generally acknowledged for *Grievances*, this Matter requires a more particular Explanation of what passed in Parliament. I shall therefore show in the first Place, how the two *Houses* stood affected as to Religion, and then shall relate what passed in relation to this Subject.

Since the beginning of the Reign of *James* I. the Bishops had rendered themselves much more powerful than they were before. The Opposition of the *Presbyterians*, who never ceased to exclaim against the *Hierarchy*, though they were not in Condition to overthrow it, had contributed very much to the Increase of the Bishop's Power. Their impetuous Zeal caused the King to judge it proper to keep them low, least in the end they should occasion some Disturbance in the Church, and the Bishops were the Persons charged with the Care of seeing this Resolution executed. The Endeavours to reduce them to Obedience, served only to inflame the Evil. Instead of trying to convince them by Arguments, they treated them without Moderation, and if I may so venture to say it, without Charity. They would at any rate have compelled them to conform themselves to the Church of *England*, not only in Things which might be considered as necessary, but also in Matters which most People looked upon as indifferent. They went farther, for divers Ceremonies were also added to the *Divine Service*, which many Persons well affected to the Church thought too near allied to Popery. *William Laud* Archbishop of *Canterbury* was the principal

Disposition
of the two
Houses
with re-
gard to Re-
ligion.

1940.

pal Author of these Ceremonies, as well before, as after he was Archbishop. His chief Aim was to mortify the *Puritans*. But in going to work too briskly or rather too rigorously, he gave them Handle to accuse him that his Design was to favour Popery, on pretense of forcing the *Puritans* to conform themselves to the Worship of the Church of *England*. No Man was more wedded to Ceremonies and the more he was upbraided with it, the more he strove to have them thought necessary. This was chiefly what gave occasion to the *Puritans*, and even to some *Church-of-England-Men* to suspect he had Design to introduce the *Romish* Religion, this extreme Attachment to external Ceremonies seeming to them as a Means intended by him to compass his Ends. As for *Arminianism*, all the World agree that *Laud* was not only *Arminian*, but also Head of that Party in *England*, after his being in Favour with King *James I.* by the Duke of *Buckingham's* Means. As the Knowledge of what passed in the Reign of *James I.* may be of great Service to the understanding the Affairs of Religion, which I have undertaken to explain, I shall briefly relate what I think most necessary, though mentioned before in King *James's* Reign.

Progress of
Laud's
Credit.

When the Disputes concerning *Grace* arose in *Holland*, *James I.* espoused the opposite Party to *Arminius*, and used even Threats to oblige the States of *Holland* to condemn *Vorstius* his Successor. After that, he sent Bishops and Divines to the Synod of *Dort*, to render the *Contra-Remonstrants* the stronger. In the mean while the *Arminians* in *England* were forced to lye dormant, because the Court was not propitious to them. *Laud*, then only a private Doctor in the *University of Oxford*, had yet no Credit, though shortly after the Duke of *Buckingham* helped him to the Bishoprick of *St. David's* in *Wales*. At the same King *James* was vigorously pushing his Design to stretch the Prerogative Royal, to which he met with great Opposition, chiefly from the *Puritans*.

tans,

1640.

ns, who upon Matters of *Grace* were directly contrary to the *Arminians*. For this Reason the King and Duke thought fit to careſs and ſupport the *Arminians*, in order to ſet them againſt the *Puritans*, the King's grand Aim being to weaken that Party, which was always ready to throw Obſtacles in the way of his Deſigns. From that time the *Arminian* Party became powerful. The Heads were *Neil* Biſhop of *Wincheſter*, and *Laud* Biſhop of *St. David's*, who found means to gain the King's Confidence, and have the Diſpoſal of the Church-Preferments. They made the moſt of this Advantage to ſtrengthen their Party, by promoting to the *Benefices* ſuch as were moſt bitter againſt the *Calviniſts*, that's the Name that began now to be given to thoſe who embraced *Calvin's* Opinion concerning *Grace*, whether *Presbyterians* or *Church-of-England-Men*. There were then three principal Cauſes of the Animosity of the Court and its Friends, againſt the *Presbyterians*.

The Firſt was, that they rejected the *Eccleſiaſtical* Hierarchy.

The Second, that they were entirely againſt the King's Deſign to ſtretch his Prerogative, well knowing the more Power he had, the more ſhould they be perſecuted.

The Third, that they were all *Calviniſts* as to Matters of *Grace*. Though the King had not, it may be, altered his Opinion about that Subject, he deſerted however the *Calviniſts*, becauſe they were in other Reſpects, for the moſt part, *Presbyterians* and *Puritans*. From that time the Court and their Agents reckoned in the Number of the *Puritans*, thoſe who reſuſed to conform themſelves to the Church of *England*, all the *Calviniſts*, *Presbyterians*, or others, and thoſe who oppoſed the King's Deſigns with regard to the Prerogative, and they were all under the Name of *Puritans*, equally obnoxious to the Hatred of the King and his Miniſters. So by this Policy a multitude of People who had no Inclination for *Presbyterianiſm*, were made to become *Puritans*. At leaſt, they

The Calvinists and Presbyterians hated by the Court.

1640. they were forced to side with the *Puritan-Party*, hinder the Court, on pretense of destroying *Puritanism*, from setting up by degrees an Arbitrary Power, which would have been fatal to the whole Nation. For the King pretended that his Will could not be opposed but upon *puritanical Principles*.

The Presbyterian-Party is persecuted.

The Reign of *Charles I.* was still more violent in this respect, than that of *James*, as has been seen in the former Part. *Laud* being made Bishop of *London*, and afterwards Archbishop of *Canterbury*, and one of the King's prime Ministers, used all his Industry and Credit to humble the *Puritan-Party*, that is to say, not only the *Presbyterians*, but also the *Covenanters*, and such who would not patiently yield their Necks to the Yoke of Servitude. *Matthew Wren* Bishop of *Norwich*, and afterwards of *Ely*, the Bishop of *Bath* and *Wells*, *Cosins* Dean of *Durham* seconded him in this Design, being of the same Principles with him. And as if the difference between the Church of *England* and *Presbyterianism* had not been visible enough, they made it their Business to add to the Worship sundry Innovations, and represented as absolutely necessary, Things indifferent, which Religion might well have been without. Hence Pretenses were found to persecute the *Puritans*, reckoning among that Party, all those to whom the Court was pleased to give that Name.

The Persecution of the Puritans is looked upon as an Artifice of the King's to arrive at despotick Power.

The wisest Part of the Nation had long since perceived the King's and the Court's Policy, and their Artifices to pave the way to Arbitrary Power. But it had not been possible to avoid the Effects, because the King had dissolved the Parliament the moment they were bent to examine the *Grievances*. The Regal Power had gained Ground by degrees, one being in a Capacity to hinder its Progress. As soon as the King's Affairs had taken a new turn by the entrance of the *Scots* into *England*, and

* *Cosins* was never Dean of *Durham*. He was Prebendary of *Durham*, and Dean of *Peterborough*.

1640.

making of *Newcastle*, and when the King saw himself under an absolute Necessity of calling a Parliament, the Majority of the Members resolved not to lose the opportunity of abolishing the Persecution introduced under the specious pretense of stopping the Progress of *Puritanism*, but in reality for the better setting up arbitrary Power. Above all, the *House of Commons* considered the Innovations, and the Rigour wherewith People were made to observe them, as so many artifices of the Court-Party, to attain their End the more easily. It must not therefore be thought strange if the greatest Part of the Members being united together with regard to *Grievances*, were so too with respect to the abolishing of Innovations and punishing the Authors, as having served for Instruments to the King in the Execution of Designs relating solely to Religion. This is what produced the Charges against the Archbishop of *Canterbury*, against the Bishops of *Ely*, *Bath* and *Wells*, and against *Cosins*, besides the Brand of *Delinquents* which the *Commons* put upon a great Number of Ministers and others, who had countenanced the Innovations. I have said that a Majority of the Members were united as to this Point, because there was not one who considered 'it as a Branch of the Design to subject the Realm to the King's Will and Pleasure. Among this great Number, there were real *Presbyterians* who had more extensive Views, and thought no doubt of altering the Government of the Church, under pretense of the ill use the Bishops had made of their Power. These, though not very numerous in the Parliament, were supported by a pretty great Party in the Kingdom, and particularly the *Scots*, whose assistance was then absolutely necessary. But they took Care not to discover their Intentions. They were contented at first to join with those who only demanded the Redress of *Grievances*, and to restore Government to its natural State. They hoped it happened indeed, that the strict Examination of the *Grievances* and Innovations, would convince the

*Views of
the true
Presbyterians.*

1640.

the Majority of the Members of the Necessity of abolishing the *Hierarchy*, of which the Court had made so great use in the Execution of their Designs. They proposed to show on all Occasions that should offer, that it was next to impossible to restore the Civil Government as long as the King should have in the *Clergy* of the Church of *England* a support capable of laying insuperable Obstacles to the Reformation of the Government. For this Reason, on all Occasions, the Leaders of the *Presbyterians* were the most forward to speak against the *Grievances*. They aggravated chiefly those which concerned the Innovations in Religion, which they openly ascribed to the Design of introducing the *Romish* Religion. All this was done with a View to cast upon the *Hierarchy* and Bishops in general, the Faults and ill Conduct of some particular Persons.

The other Members who were of the Church of *England*, though very much against the King, saw well enough what the *Presbyterians* were driving at. But they were kept in awe by the fear of losing the Assistance of the *Scots*, who supported this Party and rendered it very considerable. Wherefore they durst not displease the *Presbyterian*-Party for fear of causing in the Parliament a Division which must have been fatal to the common Cause, and consequently very advantageous to the King. Besides, the Men I am speaking of did not believe the *Hierarchy* to be absolutely necessary in the Church, or that Religion could not subsist without Bishops. None but the *rigid* Episcopalians and the King's Party were of this Opinion, but they made not a Majority. Those then who had only the Reforming of the Civil Government in view, without meddling with that of the Church, could not however, without great Inconveniencies, help having some Condescension for the *Presbyterians*, for the Reasons just mentioned. Perhaps they had no other View in their Policy but to gain Time, till the Civil *Grievances* were redressed without any Design to go any farther. But they

had to deal with very able Heads, who knew how to make them run greater Lengths than they had at first intended.

On the other Hand, the Bishops were far from being ignorant of the *Presbyterians* Drift, and that in lessening the King's Power, their Intent was to render him unable to oppose the Change they were meditating. Wherefore they stuck the faster to the King's Interest, and often by the Number of their *Voices*, managed it so that the *Upper-House* voted directly contrary to the Resolves of the *Lower*. But by that they gave the *Presbyterians* a considerable Advantage. For these last took occasion from thence to represent how advantageous it was for the King to have at his Devotion so great a Number of *Voices* among the Lords, and consequently, how impossible it would be to succeed in the Restoration proposed, as long as the Bishops had Votes in the *Upper-House*. This led them at length to bring in a *Bill* for the Exclusion of all Ecclesiasticks from Civil Employes, and the Bishops in particular, from a Right of sitting in the *House* of Lords.

The Bishops are attached more and more to the King.

Those who had only in view the restoring the Civil Government, without meddling with the *Hierarchy*, and whom I shall call the *Politicians*, though I don't know that they were ever termed so, were very much at a Loss. They plainly saw that sundry Abuses had crept into the Church, and would have readily agreed to their Abolition, provided nothing more had been required. But it was proposed to them to go one Step farther, and exclude the Bishops from the *Upper-House*, in which they saw several Inconveniencies, with regard to the Interest of the Church of *England*, to which they were attached. Though the *Presbyterian-Party* discovered not themselves all at once, and seemed to have no other View than to facilitate the Redress of all Abuses after the Exclusion of the Bishops, it was easy to perceive however, that their Projects reached farther, and that their Aim was to undermine the *Hierarchy*. It

Views of the Politicians.

1640. is certain the rejecting of, was almost as inconvenient as the consenting to the *Bill*. By leaving the Bishops in the *Upper-House*, the King would be ever sure of so many *Votes*. As the Lords were not so numerous as they have been since, and as some were absent or otherwise employed, or *Roman Catholicks*, the Bishops and the rest of the King's Party greatly influenced the Resolutions of the *Upper-House*, as was daily experienced. Consequently the Work of the Reformation of the Government could not but meet with great Obstacles. On the other Hand, by rejecting the *Bill* proposed, the *Presbyterian-Party* would be displeased, which was very considerable in the Kingdom, chiefly by being supported by the *Scots*, of whom there was great Occasion, since it was by their Means that the Parliament was enabled to work effectually in the Redress of *Grievances*.

Question
by what
Title Bi-
shops sit in
Parlia-
ment.

Reasons
for the
Bishops.

Then began to be debated the famous Question, by what Title do Bishops sit in Parliament? It was not denied that they had enjoyed this Privilege ever since the beginning of the Monarchy; but some would have it, that they sat in Parliament as Barons only, on account of the Crown-Lands granted them by the *Anglo-Saxon* Kings, for which they did Homage to the King like the rest of the Barons. Others maintained that they had a *Seat* there as *Representatives* of the *Clergy*, who could not be bound by the Laws made in Parliament, without giving their Consent to them, according to the constant Maxim of the Kingdom, and the undeniable Privilege which all *English* Subjects have ever enjoyed: That the Lords gave their Consent to the Laws, for themselves, and the *Commons*, for all the Commons of the Kingdom, and therefore it was necessary that there should be in the Parliament *Representatives* of the *Church* and *Clergy*, otherwise the Maxim would be false, that no Man can be bound by the Laws to which he has not consented. They added farther, that the Parliament had always been thought to consist of *three Estates*, of which the *Clergy* had been ever considered

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as one, from whence they inferred, that to take away from the Parliament one of the Three Estates it was composed of, would be to subvert the Constitution of the Government.

To these Arguments it was replied: That, sup-
 posing it were true that the *Clergy* made an *Estate* of Parliament by themselves distinct from the rest of the People, which was the Point in question, it did not follow that the Bishops *represented* the whole Church: That there were in the Parliament Two Houses, one of the *Lords*, and the other of the *Commons*; and Two Houses in the Convocation, the *Upper* of the Bishops, and the *Lower* of the inferior Clergy, and that therefore, according to this Rule, the inferior Clergy should likewise have *Representatives* in the Parliament, that they might be deemed to give their Consent to the Laws, which however no body ever pretended. Hence it was inferred, that the Bishops did not *represent* the Clergy, and added, that this supposed *Representation* was a new thing, unheard of before, and that it was but a few Months since that the Clergy would have been very angry at being counted only bare *Representatives*: that though it were necessary that the Clergy should be *represented* in the Parliament, it would not follow that they ought to be *represented* by the Bishops, as all the People of England were not *represented* by the Lords. That the Abbots had formerly a Seat in Parliament, not as *Representatives*, but as being *Tenants in chief*, and that when they were excluded, no one thought of saying, that a Breach was made in the Constitution of the Parliament, either by the Exclusion of the Abbots, or Dissolution of the Monasteries.

Reply to
these Rea-
sons.

These, if I am not mistaken, are the principal Arguments alledged for and against the Bishops, with regard to their Seat in Parliament. This Question was so much the more difficult, as it had been never determined by what Title the Bishops sat in Parliament. It is very probable, that from the Beginning of the Monarchy till about the End of the Reign

1640.

of Henry III, the Parliaments consisted only of Lords who were in Possession of all the Lands of the Kingdom, for which they did Homage to the King. And indeed we see that before that time, the Lords granted to the King the Money necessary for the Support of the Government, without ever any mention of the *Commons*. It may therefore be said, that the Lords sat in Parliament by a double Title, namely, for themselves, and as Representatives of the Nation. But after the *Commons* were introduced into Parliament, and had a *House* apart, the Lords lost the last of these Titles, and sat only for themselves, the rest of the People having *Representatives* of their own. The Bishops and Abbots, who made part of the Body of the Lords, had probably their Seat too by a double Title, as Possessors of Baronies, and as *Representatives* of the *Clergy*, *Secular* and *Regular*. But as when Deputies of the *Commons* were brought into Parliament, the introducing likewise Deputies of the inferior *Clergy* was not thought of, it may be said that the Bishops and Abbots preserved their double Title to sit there, as Possessors of Baronies, and as *Representatives* of the *Clergy*. The Dissolution of the Monasteries in the Reign of Henry VIII, rendered needless the *Representation* of the *Regulars*, who now were no longer in Being; but it made no Alteration in the Bishop's Right, who, according to this Supposition, *represented* the *secular* *Clergy*, and continued to sit in Parliament though the *Abbots* were abolished. But after all it must be owned, that this same *Representation* of the *secular* *Clergy* by Bishops, is only a Supposition, which though pretty apparent, cannot be said to be so evident as to admit of no Arguments against it*. But it seldom happens that in Disputes

* It seems to be plain that the *Clergy* never thought themselves represented by the Bishops, seeing that after the *Restoration*, when the *Convocation* dropped the Privilege of taxing themselves, the inferior *Clergy* had in lieu of that Privilege, a Right to vote for Members of Parliament, and so have ever since the Year 1665.

bec

of this Nature Men apply themselves solely to find out Justice and Right. Though they neglect not the Reasons which may be drawn from the Nature of the Thing itself, yet they set themselves much more to improve those which are founded in Interest and Policy.

The Heads of the *Presbyterians* never ceased to represent to the *Politicians* the Impossibility of restoring the Government to its natural State, as long as the Bishops should sit in the *House of Peers*; that the King had found means to gain the *Clergy* to his Party, by expressing a great Zeal for the Church of *England*, and an extreme Aversion to the *Presbyterians*; that this same *Clergy*, and especially the Bishops, were entirely devoted to the King, in a Belief that he was their Protector and only Support; that therefore they were persuaded he could not be too powerful, since this Power would be so advantageous to the *Clergy*; that there were convincing Proofs of this Truth in the Conduct of *Laud*, *Wren*, and some other Clergymen, particularly *Sibthorpe*, *Montague*, *Manwaring*, who had used their utmost Endeavours to procure for the King an unlimited Power; that the *Clergy* in general were still the same way inclined, and could do for the future as much Mischief as they had done already, if care was not taken to humble their Pride and Power, by confining them within the Bounds of their Calling.

Representations of the Presbyterians to the Politicians

The *Politicians* granted all these things, and besides, were not very well pleased with the Bishops and the rest of the *Clergy*. But they were loth to yield, for fear the Alteration proposed might draw others after it in Church and State, which they did

The Politicians agree to the Exclusion of the Bishops

been represented by the *Commons* like the rest of the Freeholders. However Mr. *Hide*, (the Lord *Clarendon*) and others, made use of this Argument of the Bishops being the *Representatives* of the *Clergy*, in their Speeches against the taking away the Bishops Voices in the *House of Peers*; which certainly was no Argument at all, the Prelates, doubtless, as well as mitred Abbots, sitting in Parliament on account of their Baronies, like the rest of the Nobility,

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*Artifices of
the Pres-
byterians.*

not care to meddle with. Nevertheless, after along weighing the Inconveniencies which might spring from their Acceptation or Refusal, they resolved at last to sacrifice the Bishops Right, rather than run the Risk of seeing all their Projects fall to the Ground, by the Obstacles which the Bishops might throw in their way. Whether this Resolution was taken by the Leaders at the very Beginning of the Parliament, which I think something likely, or whether it was necessary to use some time to prevail with the *Politicians*, those who solicited the Thing, judged that before it came to be debated in publick, it was convenient to breed a Prejudice against the Bishops in the Minds of the People, and to cherish that which was already entertained. The *House* wanted not Opportunities to execute this Design. The *Bill* to take from the Bishops their Seat in Parliament was not voted in the *House of Commons* till the 11th of *March* 1640--1, and passed not the *House of Peers* till the 27th of *May* following. But before the moving this *Bill*, the *Lower-House* had taken several Steps tending to incense the People against the Bishops. The great Number of *Petitions* against the Bishops in general, against Episcopal Government, against some particular Prelates and Clergymen, against Innovations, against the late *Convocation*, served them for Foundation to examine the Conduct of the Bishops with all the Rigour their Design required. Several pretend that all these *Petitions* were begged, and I won't affirm the contrary, though I know nothing particular about this Matter*. There is no clearer Evidence of

*Artifice of
the Com-
mons.*

* The Lord *Clarendon* says, their way was to prepare a *Petition* very modest and dutiful for the Form; and for the Matter not very unreasonable; and to communicate it at some publick Meeting, where care was taken it should be received with Approbation: the Subscription of very few Hands filled the Paper itself, where the *Petition* was written, and therefore many more Sheets were annexed, for the Reception of the Number, which gave all the Credit, and procured all the Countenance to the Undertaking. When a Multitude of Hands was procured, the

Petition

of the *Commons* Design with regard to the Bishops, than their Resolution on the 20th of *November*, Seventeen Days after the opening of the Parliament, namely, that on *Sunday* the 22d of the same Month* every Member should be obliged to receive the *Communion*, and bring with him a Ticket of his Name and the Place for which he served, and that after the Communion-day none should sit in the *House* but those that had first received the *Sacrament*. This Resolution could be with no other view, than to prevent the *Commons* from being esteemed *Presbyterians*, and their Resolves from being disparaged on that Pretence. Thus in the Reign of *Henry V*, the *House* of *Commons* intending to give a mortal Blow to the *Clergy*, began with passing an *Act* for burning *Hereticks*, lest the *Clergy* should pretend that the *House* consisted only of such.

To show now all the Preparations that were made in the *House* of *Commons*, before they proceeded in the *Bill* I have been speaking of, I shall only briefly mention the *Petitions* that were presented, the Speeches that were made on this Subject, and the several Resolutions that were taken.

Proceedings of the Commons concerning Religion in 1640 and 1641.

On the 10th of *November*, Seven Days after the opening of the Parliament, Sir *Edward Deering* made a Speech in the *House*, to persuade them to enter upon Matters of Religion. He took occasion to present a *Petition* from one *Wilson* a Minister against the Archbishop who had suspended him, and concluded with saying, *Our manifold Grievs do fill a mighty and vast Circumference, yet so that from every part our Lines of Sorrow do lead unto Him, and point at him the Centre, from whence our Miseries in this Church, and many of them in the Commonwealth do flow.*

Rush. IV. P. 39.

Petition itself was cut off, and a new one framed suitable to the Design in Hand, and annexed to the long List of Names which were subscribed to the former. Vol. I. p. 204.

* The Author says, on the Day appointed for the Fast, but he forgot that the *Fast* was on the *Tuesday* before, namely, the 17th, as he had noted in the Margin.

1640.
Rush. IV.
P. 41, 53.
Nelson I.
P. 518.

The same Day was read the Petition of *Peter Smart*, Prisoner in the *King's Bench*, complaining of Dr. *Cosins's* Innovations in the Church of *Durham*, and his Prosecution of the Prisoner in the High-Commission at *York*, where he was sentenced and deprived of his Living and Prebendary of *Durham*. Whereupon it was ordered that he should have Liberty to go abroad in Safe-Custody to prosecute his Petition, which was referred to a Committee who were to consider by whose Motion and Means Dr. *Cosins* was preferred to his late Dignity *. It was Archbishop *Laud* they had a mind to meet with. On the 21st Dr. *Cosins* was sent for as a *Delinquent* by the Serjeant at Arms.

Rush. IV.
P. 55.

The same Day Sir *Edward Deering* made a Speech, complaining that there was a bitter High-Commission worse than the *Popish Inquisition* set up in *England*; that the Archbishop of *Canterbury* affected the Title and Power of a *Patriarch*, and acted like a Sovereign; that he allowed of the Impression of Books in favour of *Popery*, of which he named several, and refused the same License for printing Orthodox Writings. He moved that there might be a Committee to inquire into the great Number of oppressed Ministers under the Bishop's Tyranny, [for Ten Years last past] and to examine the Licences granted for bad Books, and refused for good Books.

On the 28th the Town of *Banbury* presented a *Petition* against Innovations.

On the 30th it was reported from the Committee for Mr. *Wilson's* Petition, that he had been sequestred Four Years from his Living, only for not reading the *Book of Sports* on the *Lord's-Day*: That after he was absolved, he was prosecuted for not reading the Prayer commanded to be read by the Archbishop against the *Scots*.

On the 1st of *December* was read a *Bill* for Reformation of Abuses in Ecclesiastical Courts.

Three Days after, the *House* received a *Petition* from Two of the Inhabitants of *Chester*, complaining of their having been inhumanly treated by the *High-Commission* at *York*, for visiting Mr. *Pryn* when he was going to his Prison in *Carnarvan-Castle*. Upon this *Petition* the *House* appointed a numerous Committee to examine the Jurisdiction of the Two Commissions of *Canterbury* and *York*, and the Abuses committed in the Courts.

On the 9th a Committee was appointed to examine the Proceedings of the late *Convocation*, and consider of the *Convocation-Writs*, whether they were the same with the *Writs* of former Times, and the Opinions that the Judges gave in that Business, and enquire how and by whom the Commission that enabled the Clergy to give and take the new Oath was withdrawn.

On the 11th, the *House* received a *Petition* subscribed by a great Number of the Inhabitants of *London* and several Counties, containing Twenty-eight *Grievances* against Episcopal Government, the Substance whereof was as follows:

1. *Grievance.* The Bishops subjecting and en-
thralling all Ministers under them and their Au-
thority, and so by degrees exempting them from the
Temporal Power.

*The Lon-
don Peti-
tion a-
gainst Bi-
shops, con-
taining 28
Grievan-
ces.*

*Rush. IV.
p. 93.
Nelson I.
p. 583.*

2. The Faint-heartedness of Ministers to preach
the Truth of God, and oppose the Progress of *Ar-
minianism*, lest they should displease the Prelates.

3. The Encouragement of Ministers to despise the
Temporal Magistracy, and to live contentiously with
their Neighbours, knowing that they, being the Bi-
shop's Creatures, shall be supported.

4. The Restraint of many godly and able Men
from the Ministry, and thrusting out of many Con-
gregations their Ministers, because they could not in
Conscience submit unto, and maintain the Bishops
needless Devices.

5. The

1640.

5. The suppressing of the buying of Impropriations, and placing of able Ministers in them.

6. The great Increase of scandalous Men in the Ministry, who, if they but wear a Canonical Coat, a Surplice, a Hood, and bow at the Name of Jesus, think they have fully discharged their Duty.

7. The Discouragement of many from bringing up their Children in Learning; the many Errors and strange Opinions which were in the Church; great Corruptions in the Universities; the want of preaching Ministers in many places; the loathing of the Ministry, and the general Defection to all manner of Prophaneness.

8. The swarming of lascivious and unprofitable Books, in Disgrace of Religion; as namely, *Ovid's Fits of Love, The Parliament of Women, &c.*

9. The hindering of godly Books to be printed; the blotting out or perverting in those which they suffer, whatever strikes either at Popery or *Arminianism*; the adding of what pleaseth them, and the Restraint of re-printing Books formerly licensed, without re-licensing.

10. The publishing of Popish, *Arminian*, and other dangerous Books and Tenets; as namely, *That the Church of Rome is a true Church, and in the worst Times never erred in Fundamentals; that the Subjects have no Propriety in their Estates; but that the King may take from them what he pleaseth; that all is the Kings, and that he is bound by no Law, &c.*

11. The Growth of Popery, and Increase of Papists, Priests and Jesuits; the frequent venting of Crucifixes and Popish Pictures both engraven and printed, and the placing of such in Bibles.

12. The Multitude of Monopolies, and Impositions upon all kinds of Commodities, &c. *

13. The

* How could Monopolies be a Consequence of Episcopal Government?

13. That the Church-Government in *England* was upheld the same way as in the *Romish* Church. Hence it was that the Prelates maintained, That the Pope is not Antichrist, and forbad praying in the Church for the Conversion of the Queen.

14. The great Conformity of Vestures and Ceremonies with those of the Church of *Rome*. *

15. The standing up at the *Gloria Patri*, and at the reading of the Gospel; praying towards the *East*; the bowing at the Name of *Jesus*; the bowing to the Altar; towards the *East*; Cross in Baptism; the kneeling at the Communion.

16. The turning of the Communion-Table Altar-wise; the setting Images and Tapers upon them; the reading of the Second Service at the Altar, which they termed the *Mercy-Seat*; the forcing People to come up thither to receive the Sacrament.

17. The consecrating of Churches, Chapels, Fonts, &c. and the re-consecrating of them upon pretended Pollution.

18. The Liturgy for the most part taken out of the *Romish* Breviary, and the Book of Ordination framed out of the *Roman* Pontifical.

19. The Multitude of Canons; abuse of Excommunication; denying of Appeals; the Canons of the last Synod.

20. Plurality of Benefices; prohibiting of Marriages without Licence at certain times, and licensing of Marriages without Banes asking.

21. Profanation of the Lord's-Day, the suspending and depriving Ministers for not reading a Declaration for tolerating Sports on that Day.

22. The pressing of the strict Observation of the Saints Days, and drawing great Sums of Money out of Mens Purfes for giving them leave to work on them.

23. The

¶ They were most offended at the Surplice.

1640.

23. The great increase of Adulteries, &c. occasioned by the Prelates corrupt Administration of Justice in such Cases, who taking upon them the Punishment of it, do turn all into Moneys for the filling of their Purses.

24. The general Abuse of Excommunication, which was inflicted for trivial Matters; and the Absolution whereof could not be obtained without Money, &c.

25. The Prelates claiming their Office and Jurisdiction to be *Jure Divino*; their taking upon them temporal Dignities, &c.

26. The forcing People to take Commissions out of their own Courts.

27. The imposing of Oaths upon Church-Wardens and Sidesmen, which they cannot take without Perjury (a).

28. The great abuse of Ecclesiastical Courts, and the Bishops Usurpations.

This *Petition* ended with some Considerations, the last whereof was, that the Bishops being the Cause of the War with *Scotland*, this War could not be terminated but by the Suppression of Episcopacy.

Next Day, several Ministers were declared *Delinquents*, for introducing Innovations into the Church, and a Committee was appointed to examine the Complaints exhibited against the Bishop of *Bath and Wells*.

On the 15th, the *House* proceeded to take into Consideration the new Canons of the late *Convocation*, and voted what has been said above. After that, *Laud* was accused, and *Wren* obliged to give Bail.

1640 1.

On the 11th of *January* 1641, *Petitions* were presented from four several Counties against the *Hierarchy*.

On

(a) This refers to an Oath appointed by the Bishop of *Winchester*.

1640-1.

On the 16th, a Complaint was brought to the Lords *, against a *Conventicle* held in the Parish of St. Saviour's in Southwark, where at least Sixty Persons were taken up, who upon being asked why they did not resort to their Parish-Church, according to the Law of the 35th of *Elizabeth*, made Answer, that the Law of *Elizabeth* was not good, for that it was made by the Bishops *. The Lords contented themselves with ordering that *Divine Service* should be performed as appointed by the Acts of Parliament; and that the Ministers should forbear to introduce any Innovations.

On the 19th, the City of *Gloucester* presented a *Petition* against the Bishops.

On the 23d was read a *Petition* of several Ministers, in behalf of themselves and many others their Brethren, praying a Redress of certain Irregularities in the Government of the Church. To which was annexed a Remonstrance, setting forth these pretended Irregularities, and the great Revenues, and the little use of *Deans* and *Chapters*.

All these *Petitions*, which were very graciously received by the *House of Commons*, being plain Indications that the *House* had some ill Design against the Bishops, his Majesty sent for both *Houses* to attend him at the *Banqueting-House* at *Whitehall*, where he made the following Speech.

My LORDS, and You the Knights, Citizens, and Burgeffes.

“ THE principal Cause of my coming here at this time, is by reason of the slow Proceedings in Parliament, touching which is a great deal of Inconvenience. Therefore I think it very ne-

cessary

The King's Speech to the Parliament.

Jan. 25. Rush. IV.

P. 154.

Nalfon. I.

P. 735.

* The Paper was first delivered to the King, and recommended by him to the Consideration and Justice of the House of Peers.

* They said likewise, *They ought not to obey the King but in Civil Things.* Rush. IV. p. 144.

1640-1. " cessary to lay before you the State of my Affairs
" as now they stand, thereby to hasten (not interrupt)
" your Proceedings.

" First I must remember you, that there are two
" Armies in the Kingdom, in a manner maintained
" by you, the very naming of which doth more
" clearly shew the Inconveniencies thereof, than a
" better Tongue than mine can exprefs. Therefore
" in the first Place I shall recommend unto you the
" quick dispatch of that Business. In the next Place,
" I must recommend unto you the State of my Navy
" and Forts; the Condition of both which is so well
" known unto you, that I need not tell you the Particulars, only thus much; they are the Walls and
" Defence of this Kingdom, which if out of Order,
" all Men may easily judge what Incouragement it
" will be to our Enemies, and what disheartening to
" our Friends. Last of all (and not the least to be
" considered) I must lay before you the Distractions
" that are at this present occasioned through the
" Connivance of Parliament; for there are some
" Men that more maliciously, than ignorantly, will
" put no Difference between Reformation, and Alteration of Government. Hence it cometh that
" Divine Service is irreverently interrupted, and Petitions in an ill way given in, neither disputed nor
" denied.

" But I will enter into no more Particulars, but
" shew you a way of Remedy, by shewing you my
" clear Intentions, and some Rocks that may hinder
" this good Work.

" I shall willingly and chearfully concur with you
" for the Reformation of all Innovations both in
" Church and Commonwealth, and consequently
" that all Courts of Justice may be reformed according to Law. For my Intention is clearly to reduce all Things to the best and purest Times as
" they were in the Time of Queen *Elizabeth*. Moreover
" over whatsoever part of my Revenue shall be
" found

“ found illegal, or heavy to my Subjects, I shall be
“ willing to lay it down, trusting in their Affections.

“ Having thus clearly and shortly set down my
“ Intentions, I will shew you some Rubbs, and must
“ needs take notice of some very strange (I know
“ not what Term to give them,) Petitions given in
“ the Name of divers Counties, against the present
“ established Government, and of the greatest
“ Threatnings against the Bishops, that they will
“ make them to be but Cyphers, or at least their
“ Voices to be taken away. Now I must tell you,
“ I make a great Difference between Reformation
“ and Alteration of Government; though I am for
“ the first, I cannot give way to the latter.

“ If some of them have overstretched their Power
“ and incroached too much upon the Temporalities,
“ (if it be so) I shall not be unwilling these Things
“ should be redressed and reformed, as all other A-
“ buses, according to the Wisdom of former Times,
“ so far I shall go with you, nay farther, if upon
“ serious Debate you shall shew me that Bishops
“ have some Temporal Authority, inconvenient to
“ the State, and not so necessary for the Govern-
“ ment of the Church, and upholding Episcopal
“ Jurisdiction; I shall not be unwilling to desire
“ them to lay it down; but this must not be under-
“ stood, that I shall any way Consent that their
“ Voices in Parliament should be taken away; for
“ in all the Times of my Predecessors since the Con-
“ quest, and before, they have enjoyed it; I am
“ bound to maintain them in it, as one of the Fun-
“ damental Constitutions of this Kingdom. There
“ is another Rock you are on, not in Substance but
“ in Form; yet the Form is so essential, that unless
“ it be reformed it will marr the Substance.

“ There is a Bill lately put in concerning Parlia-
“ ments. The Thing I like well, to have frequent
“ Parliaments, but to give Power to Sheriffs and
“ Constables, and I know not whom, to use my
“ Authority, that I cannot yield unto. But to shew
“ you

1640-1. “ you that I am desirous to give you Content in
 “ Forms which destroy not the Substance, you shall
 “ have a Bill for this Purpose ; so that it trench
 “ neither against my Honour, nor against the ancient
 “ Prerogatives of the Crown, concerning Parliaments,
 “ to which purpose I have commanded my
 “ learned Council to wait upon you, my Lords, with
 “ such Propositions as I hope will give you Content,
 “ for I ingenuously confess, that frequent Parliaments
 “ are the best Means to keep up a right Understanding
 “ between me and my People, which I so much
 “ desire.

“ To conclude, I have shewn you the State of my
 “ Affairs, my own clear Intentions, and the Rocks
 “ I wish you to eschew ; in all which you may perceive
 “ the desire I have to give you Content, as you shall
 “ find also by those Ministers I have, or shall have,
 “ about me for the effecting these my good Intentions,
 “ which I doubt not will bring Peace and Happiness
 “ to my Subjects, and Contentment to you all.

“ Concerning the Conference you shall have a direct
 “ Answer, which shall give you Satisfaction.

This Speech had not the Effect the King expected : First, because probably the Exclusion of the Bishops was already resolved, and there was nothing in the King's Speech capable of altering this Resolution. In the next Place, the great Concern the King expressed for the Bishops Right was precisely the principal Cause that made their Exclusion to be so earnestly desired. In the Third Place, the King seemed to banter the Parliament, when he said, that if they would show him that the Bishops have any Temporal Authority inconvenient to the State, he should not be unwilling to desire them to lay it down. As if the Parliament ought to have expected from the pure Condescension of the Bishops, the Reformation of an Authority prejudicial to the State, a Maxim directly

rectly contrary to the Principles the Parliament was then of. 1640-1.

The same Day a Complaint was brought to the Commons against Matthew Wren, for his having, whilst Bishop of Norwich, by Oppressions, Innovations, and requiring certain Oaths, compelled above fifty Families of that City to withdraw out of England. *Complaint against Wren Bishop of Ely.*

On the 1st of February the Commons examined [Part of] the London-Ministers Remonstrance against the Bishops. In the Debate upon this Subject some smart Repartees passed between Mr. Grimston and Mr. Selden. Mr. Grimston argued thus: *That Bishops are Jure Divino, is a Question; That Archbishops are not Jure Divino, is out of Question. Now that Bishops which are questioned whether Jure Divino, or Archbishops which out of Question are not Jure Divino, should suspend Ministers that are Jure Divino, I leave to you to be considered.* To which Mr. Selden answered, *That the Convocation is Jure Divino, is a Question; That Parliaments are not Jure Divino, is out of Question: That Religion is Jure Divino, there is no Question. Now, Sir, That the Convocation which is questionable whether Jure Divino, and Parliaments which out of Question are not Jure Divino, should meddle with Religion, which questionless is Jure Divino, I leave to your Consideration.* *Grimston's and Selden's Arguments. Rush. IV. p. 165.*

I own these two Arguments seem to me to be of equal Strength. The first supposes that for the particular Act of suspending a Minister, an Authority derived from God is necessary, a Supposition natural enough. The other supposes that there is occasion for the like Authority, to empower any one to meddle in the Affairs of Religion, a Supposition which to me appears a little too general, and which should be reduced to particular Acts to render this Argument like the first.

1640-1.

On the 5th, upon the Complaint of the Inhabitants of *Wood-Church* in *Kent* against Mr. *Bowen* their Minister, who being also a Justice of Peace, had by Colour of that Office done several Things contrary to the Laws, the *House* ordered that the Lord-Keeper should be desired to leave out the Clergy of *England* and *Wales* at the renewing of the *Commission of the Peace*.

Nelson, I.
p. 670.
Rush. IV.
p. 170.—
187.

On the 8th and 9th, the *House* resumed the Debates concerning the Bishops, and many Speeches were made for and against them; but they are too long to be inserted here. I shall content my self with observing, that although the Business in Hand seemed to be only to know whether the Bishops ought to be excluded the *House* of Peers, yet the Arguments against them tended much farther, even to the entire Abolition of Episcopacy.

I shall remark also, that among those who spoke for the Bishops, there was not one but what granted the Prelates had made an ill use of their Power. But they maintained that their personal Faults might be punished and prevented for the future, without its being necessary to strike at Episcopacy itself. The Adversaries of the Bishops intimated on the contrary, that there was no reforming Episcopacy, but by changing the Government of the Church. They said, as long as there were Bishops there would be so many Tyrants, who would think more of establishing their Grandeur than of the People's Salvation. Unluckily they had but too many Instances to confirm their Opinion. The Lord *Falkland*, who spoke that Day against the Bishops, said among other Things:

A Paragraph out
of the Lord
Falkland's
Speech against Bi-
shops.
Feb. 9.
Rush. IV.
p. 184.
Nelson, I.
p. 1690.

We shall find them to have tythed Mint and Anise, and have left undone the weightier Works of the Law; to have been less eager upon those who damn our Church, than upon those, who upon weak Conscience, and perhaps as weak Reasons (the dislike of some commanded Garment, or some uncommanded Posture) only abstained from it. Nay, it hath been more dangerous for Men to go to some Neighbour's

Neighbour's Parish, when they had no Sermon in their own, than to be obstinate and perpetual Recusants; while Masses have been said in Security, a Conventicle hath been a Crime; and which is yet more, the conforming to Ceremonies hath been more exacted than the conforming to Christianity; and whilst Men for Scruples have been undone, for Attempts upon Sodomy they have only been admonished.

1640-1.

The Opposition which the Enemies of Episcopacy met with in the Execution of their Designs, was strong enough to retard it, but was not capable to make them lay it aside. What they had just done was properly but an Effort in order to be able to take more effectual Measures hereafter. They were contented therefore with having prevailed with the *House*, that the *Petition* of the Inhabitants of *London* should be taken into Consideration, contrary to the Opinion of those who would have had it thrown out without reading. Besides, what had been said on this occasion against the Bishops, promoted the Execution of the Project to take away their Votes in the *House of Lords*, which most of the *Commons* had already resolved in private. They continued therefore to receive *Petitions* against Episcopacy and to take several Steps tending to inspire the People with an Aversion for the Bishops and the rest of the Clergy.

The 13th of *February*, a Bill was brought in for abolishing Superstition, in the Supposition that Bishops had introduced into the Church sundry superstitious Practices.

The 1st of *March* the *Commons* appointed a Committee to prepare Reasons to be offered to the Lords, about putting all Clergymen in *England* and *Wales* out of the Commission of the Peace.

Rush. IV.
p. 202.

Ibid.

p. 206.

Votes of the
Commons
against the
Bishops.

Rush. IV.

p. 206.

Nalton, I.

p. 708.

The 9th, it was moved in the *House* that a Bill be drawn against *Pluralists* [and *Non-Residents*.]

The same Day were presented from the Committee for the Ministers *Remonstrance* against the Bishops, three Heads for the Debate and Consideration of the

1640-1. *House*. The First concerned their *Secular Employments*, namely, their Legislative and Judicial Power in Parliament; their Judicial Power in the *Star-Chamber*, and Commissions for the Peace; their Employment as Privy-Counsellors, and Temporal Offices. The Second related to their *sole Power in Ecclesiastical Things*, as Ordination and Censures. The Third concerned the Greatness of the Revenues of *Deans* and *Chapters*, the little use of them, and the Inconveniences thence arising. The *House* having debated upon the first of these Heads, came to these Resolutions:

I. That the Legislative and Judicial Power of Bishops in the *House* of Peers is a great Hindrance to the Discharge of their Spiritual Function, prejudicial to the Commonwealth, and fit to be taken away, and that a *Bill* be drawn to that Purpose.

II. That for Bishop, or any other Clergymen, to be in the Commission of the Peace, or to have any Judicial Power in the *Star-Chamber*, or in any Civil Court, is a great Hindrance to the Discharge of their Spiritual Function, and prejudicial to the Commonwealth, and fit to be taken away; and that a *Bill* be brought in to that Purpose.

Doctor
Pocklington's Books
ordered to
be burnt.
Rush. IV.
p. 208.

The same Day, the Lords ordered to be burnt two Books written by Doctor Pocklington, intituled, *Sunday no Sabbath*, and *Altare Christianum*.

The 15th the *Commons* sent up to the Lords Articles against Doctor Cofins, who was accused of introducing into the Church of *Durham* divers Innovations tending to restore *Popery*.

The 21st of *April*, *Petitions* against the *Hierarchy* were presented by *Nottinghamshire* and *Lancashire*.

Rush. IV.
p. 35.
Nelson. I.
p. 728.

The 26th of the same Month was read [a Second Time] a *Bill* for punishing and fining the Members of the late *Convocation*. The Archbishop of *Canterbury*'s Fine was of Twenty Thousand Pounds. There were others of Ten Thousand Pound, of five Thousand, three Thousand, two Thousand, and the

least of a Bishop was of a Thousand. The rest of the Members were rated, each in Proportion to his Ecclesiastical Revenues *.

The same Day was read a *Bill* for regulating Abuses in Ecclesiastical Courts.

It was evident that the *Commons* were upon making some great Reformation in the Ecclesiastical State, and very probably the *Deans* and *Chapters* were to be attacked the first, because their use did not appear to be so manifest. For this Reason, Doctor *Hacket* desired leave to speak before the *House* on the behalf of *Deans* and *Chapters*, which was granted him. But after he had done, Doctor *Burges* was permitted also to answer his Reasons. The two Universities presented likewise *Petitions* to the *House* on the same Account, but to no manner of Purpose.

At last, the *Bill* against the Bishops and Clergy exercising *Temporal Jurisdiction* passed in the *House* of *Commons*, and was sent up to the Lords for their Concurrence. But this *Bill* meeting with great Opposition in the *House* of Peers, who put off the Debate from Day to Day, the *Commons* had caused a new *Bill* to be brought into their *House* for the taking away of Archbishops, Bishops, Deans, Archdeacons, &c. which was read the first Time. Whilst they were debating whether it should be read again or laid aside, a Message came from the Lords, signifying that they were ready to concur with them as to the former *Bill*, except only taking away the Bishops Votes in Parliament. But the *Commons*, without taking any notice of this Offer, ordered the new *Bill* to be read a second Time.

The second of June, at a Conference between the two *Houses*, the Lords gave Reasons why they did not judge it unlawful for the Bishops to sit in Parlia-

F 3

ment,

* The Reader may see the Draught of the intended Fines at large in *Rushworth*, Vol. IV. p. 235.

1640 1. ment, alledging that for their Right to Vote there, they conceived by the Common and Statute Law, and ancient Practice there was no question of it. As for any Inconveniencies, they did not yet understand any such as might induce them to deprive the Bishops and their Successors of their Right. But for removing them from the *Star-Chamber*, Council-Table, or any Office in secular Affairs, they would fully concur with the *Commons*.

Ibid.
p. 281.

Next Day, Heads for a Conference with the Lords were reported, containing nine Reasons why Bishops ought not to have Votes in Parliament *.

Reasons
why Bi-
shops ought
not to
have Votes
in Parlia-
ment.

Id. p. 281.

- “ 1. Because it is a great Hindrance to their Ministerial Function.
- “ 2. Because they do vow and undertake at their Ordination, when they enter into holy Orders, that they will give themselves wholly to that Vocation.
- “ 3. Because Councils and Canons in several Ages, do forbid them to meddle in secular Affairs.
- “ 4. Because the Twenty-four Bishops have Dependence on the two Archbishops, and take their Oath of Canonical Obedience unto them.
- “ 5. Because they are but for their Lives, and therefore are not fit to have Legislative Power over the Honours, Inheritance, Persons, and Liberties of others.
- “ 6. Because of Bishops Dependency and Expectancy of Translation to Places of greater Profit.
- “ 7. That the several Bishops have of late much encroached upon the Consciences and Liberties of the Subject ; and they and their Successors will be much encouraged still to encroach ; and the Subject will be much discouraged from complaining against

* To these Reasons there was soon an Answer in Print, called, *An Abstract*, &c. (said to be done by the Archbishop of York,) and to that presently came forth a Reply. To which the curious Reader is referred. *Rush. I. p. 282.*

“ against such Encroachment, if Twenty-six of that
 “ Order be to be Judges upon that Complaint. The
 “ same Reason extends to their Legislative Power in
 “ any Bill to pass for the Regulation of that Power,
 “ upon any emergent Inconveniency by it.

“ 8. Because the whole Number of them are in-
 “ terested to maintain the Jurisdiction of Bishops;
 “ which hath been found so grievous to the three
 “ Kingdoms, that *Scotland* hath utterly abolished
 “ it.

“ 9. Because the Bishops, being Lords of Parlia-
 “ ment, it setteth too great a distance between them
 “ and the rest of their Brethren in the Ministry;
 “ which occasioneth Pride in them, Discontent in o-
 “ thers, and Disquiet in the Church.

“ And as to their having Votes a long Time, the
 “ Answer is, if it be inconvenient, Time and Usage
 “ are not to be considered with Law-makers: Some
 “ Abbots voted as anciently in Parliament as Bishops,
 “ yet are taken away”.

Among all these Reasons the *Commons* did but
 just point at the Principal in the 6th Article, but
 which no Body was ignorant of, namely, that the
 Bishops had been too much devoted to the King, and
 countenanced Arbitrary Power.

Mean while the *Commons* ordered a *Bill* to be pre-
 pared against the late *Convocation*, and another to a-
 bolish the *High-Commission*.

The 7th of *June* the Lords voted for the maintain-
 ing the Bishop's Right to sit in Parliament.

The 11th, the Business of Episcopacy coming a-
 gain into Debate, lasted from seven a Clock, in the
 Morning, till Night *, and it was resolved by the

F 4

Preamble
to the Bill
against E-
piscopacy.
Rush. IV.
p. 283.

* In this long Debate, the Authority of that very ancient Parch-
 ment Manuscript-Copy of the Bible in his Majesty's Library at St.
James's, and sent to King *Charles I.* by *Cyrillus* Patriarch of *A-*
lexandria, being all written in great Capital Greek Letters, was
 vouched and asserted by Sir *Simon d' Ewes* (a great Antiquary)
 wherein

1648— *Commons*, that the Preamble to the *Bill* should be expressed in these Words:

Whereas the Government of the Church of England by Archbishops and Bishops, their Chancellors and Commissaries, Deans, Archdeacons, and other Ecclesiastical Officers, hath been found by long Experience to be a great Impediment to the perfect Reformation and Growth of Religion, and very prejudicial to the State and Government of this Kingdom.

Votes a-
gainst the
Hierarchy.

The 15th the *Commons* voted that all *Deans, Deans and Chapters, Archdeacons, Prebendaries, Chanters, Canons, and Petty-Canons*, and their Officers, shall be utterly abolished: That all the Lands taken from *Deans and Chapters* shall be employed to the Advancement of Learning and Piety, Provision being made that his Majesty be no loser in his Rents, First-Fruits, and other Duties; and that a competent Maintenance shall be made to the several Persons concerned, if such Persons appear not to be Delinquents. Several Speeches too long to be inserted here, were made upon this Occasion.

The 21st, the *House* being resolved into a Grand Committee to debate the *Bill* for abolishing Episcopacy, Sir *Edward Deering* proposed, in a Speech, that there should be in every *Shire* Twelve Divines and a President, to whom might be given what Title they pleased, whether that of *Bishop* or any other: but nothing was resolved thereupon.

It is easy to perceive by what passed in the Parliament, during the first Months, with regard to the Church, that the *Commons* looked upon this Business as a capital Point, though they affected to let it go as dependent on the Design of reforming the Civil Government. For scarce a Day passed without some Debate

wherein the Postscript to the Epistles to *Timothy* and *Titus* are only thus: *The First to Timothy, written from Laodicea: The Second to Timothy, written from Laodicea: To Titus, written from Nicopolis.* Whence he inferred, that the styling of *Timothy* the first Bishop of *Ephesus*, and *Titus* the first Bishop of *Crete*, were the spurious Additions of some Eastern Bishop or Monk at least Five Hundred Years after Christ. *Rush. IV. p. 284.*

Debate directly or indirectly on this Subject. But as this was not the only Affair then in Agitation in the Parliament, it will be necessary to break off the Narration, in order to speak of some other Matters of no less Importance.

The King could not but be very much displeased with the Proceedings of the *Commons*, as well in the Business of *Grievances*, as in that of *Episcopacy*. The two Things he had most at Heart, since the Beginning of his Reign, were the stretching his Prerogative, and maintaining the Church of *England* in its full Lustre, and the Bishops in all their Authority. Nevertheless, upon these two Points it was that the *Commons* seemed to affect to give him daily Mortifications, not only by their Speeches, but also by their *Votes* and the *Bills* they sent up to the Lords.

But besides *Grievances* and *Episcopacy*, there was another Article, wherein the *Commons* showed no great Complaisance to the King; and that was the Business of the *Catholicks*. Charles trod almost in the King his Father's Steps; that is to say, he appeared to be entirely attached to the Protestant Religion and Church of *England*; whilst on the other Hand, he protected and countenanced the *Papists*. But there was this Difference between the Father and Son; King *James's* Religion was all along very doubtful, notwithstanding his outward Profession of the Protestant Religion; whereas King *Charles* was never accused of being a *Papist*, but by Men of very warm and passionate Tempers. However, several things induced him to favour the *Catholicks*, which gave his Enemies some Handle against him. 1. The Example of the King his Father, who, throughout his whole Reign, could never be prevailed with to put the Laws in Execution against them. 2. Though the *Papists* would not take the Oath of *Supremacy*, they refused not to swear *Allegiance*, and that was enough for him to reckon them good Subjects. 3. In the Project he had formed of keeping the Parliament under, and reducing the *Commons* not to meddle in any

Proceedings of the Commons against the Papists.

Reasons why the King favoured the Papists.

1640—1. any thing but the Matter of *Supply*, the Parliament's desiring the Execution of the Laws against the *Papists*, was sufficient to make him take a contrary Course, to the End they might be used by degrees not to obtain every Thing by Importunity. 4. The *Catholicks* having no other Refuge but the King's Protection, it was natural for them firmly to adhere to his Person and Interest, and the King thought himself obliged to grant them an extraordinary Protection, in reward of their Fidelity. 5. Nothing was more grating to the *Puritans*, than to see the *Papists* well-received at Court; and as the King hated the *Puritans*, he took a Pleasure in mortifying them by caressing their Enemies. 6. The Queen, for whom the King had a very great Condescension, did not a little help to inspire him with a good Opinion, if not of her Religion, at least of the Professors thereof. 7. Archbishop *Laud*, who was *Arminian*, took care not to strengthen the *Calvinistical* Party, by stirring up the King against the *Papists*. 8. Lastly, *Charles I.* was naturally of an inflexible Temper, and this Quality added to his Maxims of Government, was the Cause that he could hardly bear to see whatever tended to put a Constraint upon his Will. These are probably the Reasons that induced the King to countenance the *Catholicks*, during the First Fifteen Years of his Reign. He carried his Regard for them so far, that not only the *Penal* Laws enacted against them were never executed, but that also the *Papists* were looked upon at Court as the best Subjects, whereas the *Puritans* were considered as Enemies to the King and State.

The Face of Affairs being changed by the calling of the Parliament, and the King being no longer in Condition to protect the *Papists*, they were treated somewhat roughly. It was supposed that there was a settled Design to introduce *Popery*, and that several Bishops and other Clergymen were in the Plot. The Archbishop of *Canterbury*, the Bishops of *Ely* and of *Bath* and *Wells*, Dr. *Cosins*, Secretary *Windebank*, and some

some others, were accused of being chiefly concerned ^{1640-1.} in this Affair, which was openly hinted to be managed by the Queen and her Confidants. Though this Charge went, it may be, too far with Respect to the private Persons, it can hardly be denied, that they gave some Ground for it by their Proceedings. Their Hatred to the *Presbyterians* made them not scruple to come too near *Poper*y, in order to be at a greater Distance from *Presbyterianism*. This, if I am not mistaken, was the true Cause of all the Innovations introduced into the publick Worship, and of the inviolable Attachment to the Observance of certain indifferent or needless Customs and Ceremonies. The chief Aim of the Governours of the Church was to widen continually the Difference between *Presbyterianism* and the Church of *England*. But this Policy, which was beneficial to the Enemies of the *Puritans*, as long as the King ruled with an absolute Power, turned to their Prejudice entirely, because in this Parliament they were accused of having had more secret Designs; in a word, of having intended to introduce *Poper*y, and the Punishment of the Faults committed by some hot and passionate Persons, was made to fall on the whole Church.

In whatever the Parliament did against the *Papists*, the King had properly nothing to say. He could not deny that there were Laws against *Recusants*, and that these Laws had not been executed, though he had several times solemnly promised to see it done. It was no longer a proper Season to protect them openly. And therefore he issued out Proclamations enjoining the Execution of the Laws, in order to content the Parliament. But these Proclamations were drawn so artfully, that they properly granted nothing of what they seemed to promise. Especially, the Parliament could never prevail with the King to let the condemned Priests be executed, whether the King could not bring himself to cause Sentences to be put in Execution which he believed too rigorous, or the Queen's Sollicitations had a greater Influence

1640—1. upon him than those of the Parliament. Let us see now what passed of most Moment with regard to the *Catholicks*, during the first Seven or Eight Months of this Session.

Report of
the Com-
mittee con-
cerning the
Proclama-
tion a-
gainst Re-
cusants.
Rush. IV.
p. 65.

In the Beginning of the Parliament, the King having published a Proclamation against *Recusants*, the Committee, charged with the examining of it, reported that it was not according to [his Majesty's Intentions, or] the Expectation of the *House*, for the following Reasons:

1. In the Clause where the Proclamation commands all *Popish Recusants* within Fifteen Days to depart the City, it is added, *Without special Licence had thereunto*: So that if by any means they can obtain any Licence from his Majesty (which the Committee thinks they cannot) or from the Lords of the Council, Bishop, Lieutenant, or Deputy-Lieutenant, then they are not within that Clause.

2. The Order to disarm all *Recusants*, is limited to *Recusants Convict*, and being so restrained, if any be armed and not convicted, a Justice of Peace cannot disarm them.

3. *Recusants* are commanded to depart to their own Dwelling-Houses; but as of late Days there is great Resort of *Recusants* to *London* and *Westminster*, and Places adjacent, there is no urging them from thence by Law.

The Committee added, that many *Recusants* had *Letters of Grace* to protect their Persons and Estates.

Rush. IV.
p. 68, 69,
70. In the Continuation of this Report a few Days after, the Committee said, That upon the Examination of the Keepers of Two Prisons only, *Newgate* and the *Clink*, they found Sixty-four Priests and Jesuits discharged in one Year, some by Privy-Signet, others by Warrant from the Lords of the Council, but most of them by Warrants from Secretary *Windebank*, without any mention of the King's Pleasure: That upon Examination of the Clerk of the Peace for *Middlesex*, and the Clerk of the Crown in the *King's-Bench*, it was found that within the Compass of Seven

Seven or Eight Years there had been Seventy-four *Letters of Grace* *. Then they descended to particular Circumstances concerning the Discharge of several Persons condemned for Treason, all by the Order of *Windebank*: They said moreover, that they had discovered Sixty-four *Letters of Grace* to stay the Prosecution against *Papists*, directed to several Counties and Judges. It was added, that indeed the King had Power to pardon the condemned: but to command no further Prosecution was contrary to Law.

The 30th of *November* the *Commons* desired the General of the Army to dismiss all *Popish* Officers *, and moved his Majesty that all Commanders and other Officers in any Town or Garrison that were *Papists* might be removed. The King answered, he knew of no *Papist* that had the Command of any Place, but however had given Orders to be more particularly informed. Ibid. p. 67.

The 1st of *December* the *House* ordered the preparing of a Remonstrance to his Majesty concerning the Pope's [pretended] *Nuncio*. This was Count *Rosetti* who exercised in *England* the Functions of *Nuncio*, under colour that it was necessary to the Queen for Matters of Conscience. p. 71.

The 5th the *House* sent an Order to all the Justices of Peace of *Westminster*, *London* and *Middlesex*, enjoining them to proceed against *Recusants* according to Law, notwithstanding any Inhibition or Restraint. p. 73.

In the Month of *January* following there was a sort of Dispute between the King and *Commons* on account of *John Goodman* a Jesuit, who had been condemned to die, but was reprieved by the King. The *Business of Goodman the Jesuit.* *Rush. IV. p. 153.* *Houses* 155, 157, 158. *Nelson I. p. 739.*

* The Author having made some Mistakes in this Paragraph, they are corrected from the Report at large in *Rushworth*, Vol. IV. p. 68. The Nature of these *Letters of Grace* was this, they were directed to Archbishops, Bishops, Judges, and all other the King's Officers, to stay all Proceedings against the Persons therein named. See the Report before mentioned. 746.

* The General's Answer was, That as soon as possible he could, he would return an Answer in writing. *Rush. IV. p. 73.*

1640—1: *Houses* had several Conferences upon this Subject, and at length agreed to join in a Remonstrance to his Majesty, to move him that the Laws might be put in Execution against *Priests* and *Jesuits*, and particularly against *Goodman*. The King, who had a mind to save this *Jesuit*, alledged, That he had been condemned merely for being in Orders of a Priest, and had never been condemned or banished before. But the two *Houses* represented to him, that this Priest and *Jesuit* had been a Minister in the Church of *England*, and had been formerly twice committed and discharged. In short, the King replied, that if *Goodman* were put to Death, the *Protestants* abroad in *Catholick* Countries might suffer for it; but however, would leave it to both *Houses* to do as they thought fit. Next Day *Goodman* sent a *Petition* to the King, which was immediately communicated to the *House* of Lords, wherein he said, that he was content to die rather than live the Subject of so great Discontent between him and his People. As it does not appear that the Parliament insisted any more upon this Matter, it is likely the King obtained what he desired, and saved the *Jesuit's* Life. But this sort of Victory failed not to do him some Prejudice, in that his Enemies took occasion from thence to represent that there was no depending upon his Proclamations or Promises with respect to the *Papists*, since they were never executed. It is not doubted but the Queen solicited strongly in *Goodman's* behalf.

Rush. IV.
p. 188.

The 11th of *February* 1640--1, notice being given to the *Commons* that the *Papists* were preparing to execute some great Design, and that by the Queen's Order all *Roman Catholicks* fasted every *Saturday* for the prosperous Success of the same. Whereupon an Order was made that all Judges in their Circuits should effectually put the Laws in Execution against *Priests* and *Jesuits*.

The 17th the *Commons* ordered the Lord-Mayor of London to prevent *Papists* from resorting to Ambassadors Houses and the Queen's Chapels.

The 24th the Members of the *House* had Orders to bring in by such a Time the Names of all *Recusants* convict in each County.

The 2d of *June* was read in the *House of Commons* a *Bill* for disarming all the *Papists* in the Kingdom.

In *January* last the *Commons* began to take into Consideration the Contribution raised among the *Roman Catholicks* for carrying on the late War against the *Scots*, at the Instance of the Queen, who wrote a circular Letter to exhort them to it. *Walter Montague* and Sir *Kenelm Digby*, [who had writ on the same Occasion to some of the principal of the Popish Party] were sent for and interrogated upon this Business, and the *Commons* seemed resolved to push the Matter vigorously. But the Queen found means to appease them by a Message, wherein she said, that she was moved to raise Money in that manner for the King's Assistance, merely out of her tender Affection to him, and if it were illegal, she was ignorant of the Law, but promised to be more cautious for the future. She said moreover, that understanding the having one sent to her from the Pope was distastful to the Kingdom, she was desirous to give the Parliament Satisfaction, and would remove him in convenient time. This convenient time was not yet come in *June* following, when the Nuncio *Rosetti* was still with the Queen. But at last, the *Commons* having ordered him to be brought to the Bar of their *House* to be examined, he hid himself, and on the Morrow departed for *Rome*. *Montague*, *Winter*, and Sir *Kenelm Digby* withdrew into *France*.

Father *Philips* the Queen's Confessor was also examined by the *Commons*, who afterwards brought an Accusation against him to the Lords, and against the Superior of the *Capuchines* belonging to the Queen. Probably,

Proceedings of the Commons concerning the Money given by the Papists for the War with Scotland.
Rush. IV. p. 160, 169.
Queen's Message to the Commons.
p. 169.
Feb. 5.

The Q's Confessor accused.

1640—1. Probably, this Accusation was only to frighten them and oblige them to retire.

This is all of Moment that passed with regard to the *Catholicks*, before the King's Journey to *Scotland*, which will be spoken of hereafter. It is time to return to the *Scotch* Army which we left at *Newcastle*.

*Affairs
with the
Scots.*

The King had flattered himself, that the Parliament would espouse his Cause against *Scotland*, and furnish him with means to drive the *Scots* out of the Kingdom. This was the first, or rather the only thing he recommended to both *Houses* in his Speech at the opening of the Parliament. But to perceive how vain this Hope was, one need only consider that the Leading-Men of the Party against the King were the Persons that encouraged the *Scots* to enter *England*, and that this same Party was so Superiour in the Parliament, that but few of the King's Friends durst open their Mouth to support his Interest. It was this *Scotch* Invasion that compelled the King to call a Parliament; and it was the same that enabled the Parliament to break all the King's Measures, and oblige him to suffer the Redress of *Grievances*. In a word, it was solely by the Help of the *Scots* that the Parliament had it in their Power to restore the Government to its former State. They would therefore have acted against their own Interest, and directly contrary to the End they proposed, if they had supplied the King with Means to chase the *Scots* out of the Kingdom. Accordingly they took not one Step tending thereto. On the contrary it evidently appeared, that they considered the *Scots* as Brethren, who, having the same Interest as the *English*, were come to assist them, and act in concert with them.

Rush. IV.
p. 38.

The 9th of *November*, Six Days after the opening of the Parliament, Sir *William Widdrington*, Knight of the Shire for *Northumberland*, speaking concerning the Matter of a *Petition*, presented by that County on account of the Oppressions they laboured under

under from the *Scotch* Army, called the *Scots*, *Inva-* 1640^{±1}
ding Rebels. The *House* was so offended at the Ex-
 pression, that *Widdrington* escaped Imprisonment only
 by recanting, and promising to call them *Rebels* no
 more. Nothing was more capable of letting the
 King see how far the *Commons* were from aiding him
 against the *Scots*. But this was not the only Mark
 they gave of their Intention. In the first Place,
 they thought proper to give the *Scots* the Sum of
 Three Hundred Thousand Pounds in reward for their
 brotherly Assistance to *England*. In the second Place,
 they found means to spin out the Negotiation of Peace
 till the 7th of *August* 1641, that is to say, till all the
Grievances were very near redressed, the *Triennial Bill*
 passed, and another that the Parliament should not
 be dissolved but by an *Act* for that purpose. All this
 was very remote from the Hopes the King had flat-
 tered himself with, that he should have a sufficient
 Supply to compel the *Scots* to return home. As the
 Troubles of *Scotland* were the Spring and Fountain
 of all that passed in this Parliament, I am persuaded
 the Reader will not take it ill to see here a brief Ac-
 count of the Negotiation of Peace between the King
 and the *Scots*, and between *Scotland* and *England*.
 What follows is the Substance of the Earl of *Bristol's*
 Speech to both *Houses*, when he was pitched upon
 by the Lords Commissioners, to give them an ac-
 count of what had passed hitherto in that Affair.

“ The Commissioners employed by his Majesty
 “ intend not to look further back into the Business,
 “ than the Acts of their own Employments; they
 “ intend to give no Account of the Pacification in-
 “ terrupted, nor War renewed; no Account how
 “ the Armies in *England*, *Ireland*, and by Sea were
 “ designed; they purpose not to lay Fault upon
 “ any Man, nor to enquire into the Cause why the
 “ *Scots* (as they pretended from Necessity) were
 “ drawn to enter this Kingdom; nor why the King's
 “ Army, when Service was to be done, was out of
 VOL. XI. G “ the

*The Earl
 of Bristol's
 Relation of
 his Nego-
 tiation
 with the
 Scots.
 Rush IV.
 p. 46.*

1640—I. “ the way ; but that those through whose Hands
 “ these have passed, may hereafter give their own
 “ Account.

“ His Majesty having called his Great Council
 “ at *York*, made to them two Propositions. The
 “ first was, How his Army should be relieved and
 “ maintained? To this the Lords resolved to en-
 “ gage themselves, and to send Deputies to *London*
 “ to negotiate a Supply. The second Proposition
 “ was, That after the *Scots* had passed *Northumber-*
 “ *land*, taken *Newcastle*, and possessed the Bishop-
 “ rick of *Duresm*, they sent a Petition to his Ma-
 “ jesty, which contained in general Terms a Desire
 “ to have their Grievances taken into Consideration.
 “ Upon Receipt of his Majesty’s Answer, the *Scot-*
 “ *tish* Lords sent his Majesty a second Petition, in
 “ which they made their particular Demands, and
 “ declared, That according to his Majesty’s Com-
 “ mand they would advance no further into *England*.
 “ So his Majesty asked the Lords what Answer
 “ should be made to that petitionary Letter? The
 “ Lords replied, That it was impossible for them
 “ to give any well-grounded Advice, unless the true
 “ State of his Affairs, and the Condition of his Ar-
 “ my were laid before them. Whereupon his Ma-
 “ jesty commanded the Earl of *Traquaire* to make
 “ the Narration of the *Scotish* Business, and their
 “ late Acts of Parliament, and the [Earl of *Straf-*
 “ *ford*] Lord-Lieutenant-General to give an Ac-
 “ count in what Condition the Army stood.

“ The *Scots* Army had passed *Northumberland*
 “ without Resistance. They had disputed the Pas-
 “ sage of the River *Tyne* at *Newburn*, where the
 “ *English* Horse retired in Disorder. His Majesty’s
 “ Foot Army consisting of 12000 or 14000 Men in
 “ *Newcastle*, likewise retired to *York*, whereby the
 “ Town of *Newcastle*, a Place of great Considera-
 “ tion, was fallen into the *Scots* Hands, and the Bi-
 “ shoprick of *Duresm* brought under Contribution.

“ In

“ In this State the Gentry of the Bishoprick re- 1640—r.
 “ paired to his Majesty ; from whom they were re-
 “ ferred to the Earl of *Strafford*, who gave them
 “ this Answer positively, That they could look for
 “ no Help nor Protection from the King, and there-
 “ fore they might use the best Means they could to
 “ preserve their Lives and Estates. Whereby they
 “ were forced to consent to a very heavy Contributi-
 “ on, tho’ such without which the *Scotish* Army could
 “ not subsist. This Contribution was 850 *l.* a Day
 “ for the Bishoprick of *Durham*, *Northumberland*,
 “ and *Newcastle*. These Gentlemen much lamented
 “ their Estates, that the *Scots* should be irritated by
 “ being proclaimed Traytors.

“ The *Scots* on the other Hand represented to the
 “ King’s Commissioners, that being threatned with
 “ an Army of Thirty or Forty Thousand Men,
 “ another of Ten Thousand out of *Ireland*, and by
 “ Proclamation declared *Traytors* and *Rebels* ; and
 “ having heard of another Army providing, of
 “ Eight or Ten Thousand by Shipping to hinder
 “ their Trade, at least their Commerce with *Eng-*
 “ *land*, that they were drawn together by Necessity,
 “ as they pretended, of Defence. They further
 “ alledged, that it was a common Discourse, of
 “ which they had seen Papers, that they should be
 “ reduced into a Province, which would be but one
 “ Summer’s Work. Therefore they had drawn their
 “ Power together, and being assembled, and their
 “ Country poor ; taking Advantage of the Time,
 “ while all those Armies that should oppose them
 “ were out of the way, they were forced to enter in-
 “ to *England*.

“ Thus the Great Council of the Lords found
 “ that the *Scots* had increased their Confines near
 “ Fourscore Miles in *England*, and had passed the
 “ Rivers of *Tweed* and *Tyne* ; and that the River of
 “ *Tees*, the Boundary of *Yorkshire*, was not to be de-
 “ fended, being fordable in many Places by Forty
 “ Horse a Front. That if the *Scots* should pass

1640-1. “ that River, there was no possibility to hinder them
 “ from coming to *York*, without hazarding a Battle,
 “ which the Earl of *Strafford* declared unto them he
 “ would not advise, because the King’s Army consisted of Troops that were untrained, and unused
 “ to Arms.

“ This being the Case, the Lords advised his Majesty that the *Scots*, and their Grievances might be
 “ heard. And whereas their Complaint had been,
 “ that their Petitions to his Majesty had been conveyed by Conduits of an evil Relish, that there
 “ might be chosen such Lords Commissioners, of
 “ whose Integrity they could not doubt. The King
 “ was pleased to refer the Choice of these Commissioners to the Great Council: And to them Power
 “ was given, under the Great-Seal of *England*, to
 “ hear whatsoever the *Scots* would lay before them,
 “ and to enter into Treaty with them.

“ When this was proposed to the *Scots* Commissioners, they represented, That the Countries where
 “ they lay were become poor; That they could not
 “ think, as their Affairs stood, of returning Home;
 “ That his Majesty had restrained them from passing
 “ further into *England*; so that a Treaty in this Exigent was worse than a War, unless Means might
 “ be thought upon how they might subsist, while
 “ the Treaty was on foot; otherwise they should be
 “ obliged to plunder the Country.

“ The Commissioners having dispatched some of
 “ their Company to acquaint his Majesty with the
 “ *Scots* Demands, a Commission was given them by
 “ the King to treat with the *Scots* for a Maintenance,
 “ and the Commissioners thought, that instead of
 “ giving them any Allowance, they should be left
 “ to their Proportion of that Contribution of 850*l.*
 “ a Day, already agreed upon by the Counties, as
 “ less dishonourable than to assign them Maintenance. Accordingly the Preliminaries were agreed
 “ upon; the Treaty of Cessation concluded, and
 “ the Commissioners advised his Majesty to ratify it,
 “ which

“ which was accordingly done. The Parliament
“ approaching, their Lordships advised his Majesty
“ to transfer the Treaty from *Rippon* to *London*, to
“ which his Majesty consented. 1640-1.

“ To excuse the Preliminaries agreed on at *Rip-*
“ *pon*, the Earl of *Bristol* added, That it was in-
“ deed hard to pay the *Scots* a Contribution of
“ 850*l.* a Day, and that there was already some
“ doubt that the Countries were not able to bear it :
“ But that on the other Side it was objected by the
“ *Scots*, that it was impossible, if the Payment should
“ fail, to keep their Promise, or to obey his Ma-
“ jesty, but that they should be necessitated against
“ their Will to plunder the Country. For which
“ Reasons the Earl of *Strafford* had declared, that
“ the Counties of *Cumberland* and *Westmoreland* being
“ under the *Scots* Power, it was reasonable that in
“ *Subsidium* they should contribute some help to their
“ Neighbours : But he added, that the Commis-
“ sioners left at *Duresm* had written, that it was im-
“ possible for them to proceed in the Agreement,
“ which if it were broken on their part, the *Scots*
“ would alledge an impossibility to consent to starve ;
“ so that if some Means were not found, by which
“ those Counties engaged might be relieved, he was
“ afraid all their Labour and Treaty would come to
“ nothing. Therefore the Commissioners, and all
“ the Lords, engaged themselves faithfully and truly,
“ to declare all these Things to the Parliament.

“ The Earl of *Bristol* declared further, That it was
“ far from the Lord-Commissioners Purpose to
“ move any Supply of Money from the House of
“ *Commons*, but to lay the Cause before them. A-
“ verring certainly, That if some Course were not
“ taken, the whole Kingdom would be put into
“ Disorder. Armies would not starve ; retiring was
“ not yet in the Thoughts of the *Scots* ; therefore
“ they must plunder and destroy, or advance into
“ *Yorkshire*, and so farther into *England*, to seek Sub-
“ sistance

1640-1.

“ sistance ; the Prevention whereof did highly im-
 “ port the King and Kingdom.

“ Lastly, The Earl proposed to the Parliament a-
 “ nother Thing, no less worthy of Consideration,
 “ viz. That if the *Scots* Army were provided of a
 “ Competency, it were very strange there should
 “ not an equal Care be had for maintaining the
 “ King’s Army. He said the *Scots* Army was strong,
 “ and powerful, and little other Resistance against
 “ it, but the Impediments of an Army marching in
 “ Winter ; but whether it were fit for a King-
 “ dom to be trusted to Accidents of Frosts, with a
 “ People bred in *Swedeland* (a), and cold Countries,
 “ he left to their Discretion. He confessed, that
 “ the *Scots* had made great Protestations, and with
 “ great Execrations averred, that they had no In-
 “ tent to advance forward, but return when they
 “ shall have received Satisfaction : Yet the Commis-
 “ sioners did not conceive that the Kingdom should
 “ rely upon Promises and Protestations. Many Ac-
 “ cidents might happen, when a Nation come from
 “ a far Country to a better, should be told the Bu-
 “ siness they come about was just, and their Quar-
 “ rel good ; who finding themselves in a fat Pas-
 “ ture, may pick Quarrels with their Leaders, if
 “ they should go about to prevent them. Upon
 “ these Grounds his Lordship presented to the gene-
 “ ral Consideration, the Supply of his Majesty’s
 “ Army, that it be not disbanded ; which if it
 “ should come to pass, *Yorkshire*, and other Parts of
 “ *England* were left to the *Scots* Discretion. His
 “ Lordship said, he durst not say the *Scots* would
 “ not come forward, but that it was in their Power
 “ if they would ; and therefore he recommended
 “ this

(a) This is an Allusion to the 6000 *Scots* sent by King *Charles* to the King of *Sweden*, under the Command of the Marquis of *Hamilton*. These Troops served in *Germany*, and never in *Sweden*.

“ this Representation to the whole Body of the King-
 “ dom, to prevent future Dangers. 1640. 1.

There was no need of using many Arguments to induce the Parliament to allow that the *Scotch* Army should be maintained in *England*. Upon the Earl of *Bristol*'s Report, it was resolved, that the *Commons* approve of the Persons of the Lords that were Commissioners in the late Treaty, to be Commissioners now to treat with the *Scots* in this Declaration, that no Conclusion of theirs should bind the *Commons*, without their Consent in Parliament. Though the *Scotch* Army was very expensive to *England*, the Negotiation however lasted till the 7th of *August* 1641, when the Treaty was at length signed. I shall insert here a Summary of the Articles, that it may be seen, wherein consisted the Differences between the King and *Scots*, and the Difficulties of the Peace, and what the King's grand Project came to, of reducing the *Kirk* of *Scotland* to a perfect Conformity with the Church of *England*, and perhaps of rendering himself absolute in *Scotland*, as he was very near the Matter in *England*, when he first formed this Enterprize.

The Substance of the Treaty concluded between England and Scotland, the 7th Day of August 1641.

“ FIRST, the *Scots* declare, that by their treat-
 “ ing with the *English* Parliament, they do not
 “ acknowledge any Dependence of *Scotland* upon
 “ *England*, &c. Treaty with Scot- land. Rush. IV.

I. *The SCOT's first Demand.*

“ That his Majesty would be graciously pleased
 “ to command that the Acts of the late Parliament
 “ of *Scotland*, may be published in his Majesty's
 G 4 “ Name,

1640-1. " Name, with Consent of the Estates of Parliament
 " convened by his Majesty's Authority, the 2d of
 " June 1640.

Answer.

His Majesty doth in the Word of a King, promise the publishing of the said Acts, with the Acts to be made in the next Session of the same Parliament; and that all the said Acts have in all Time coming the Strength of Laws, &c.

2d. Demand.

" That the Castle of *Edinburgh*, and other
 " Strengths of the Kingdom should be furnished,
 " and used for Defence and Security of the King-
 " dom.

Answer.

Agreed unto.

3d. Demand.

" That *Scotish* Men within his Majesty's Domini-
 " ons of *England* and *Ireland*, may be freed from
 " Censure for subscribing the *Covenant*, and be no
 " more pressed with Oaths, and Subscriptions un-
 " warranted by their Laws, and contrary to their
 " National Oath, and *Covenant* approved by his
 " Majesty.

Answer.

Granted with regard to the Subjects of Scotland, who shall be Sojourners only in England or Ireland. But such shall be excepted as are settled Inhabitants in either of the two Kingdoms. The English and Irish shall have the like Privilege in Scotland.

4th De-

4th Demand.

“ That whosoever shall be found upon Tryal and
 “ Examination, by the Estates of either of the two
 “ Parliaments, to have been the Authors and Cau-
 “ sers of the late and present Troubles and Combustion ; whether by labouring to make and foment
 “ Division betwixt the King and his People, or betwixt the two Nations, or any other way, shall be
 “ liable to the Censure and Sentence of the said Parliaments respectively, the *English* to the Parliament of *England*, and the *Scots* to that of *Scotland*.

Answer.

His Majesty believeth he hath none such, as Incendiaries, about him ; and therefore he can make no other Declaration, than that all his Courts of Justice are free and open to all Men. His Parliament in this Kingdom [of England] is now sitting, and the current Parliament of Scotland near approaching the Time of their Meeting. To either of which, he doth not prohibit any of his Subjects to present their just Grievances and Complaints, of whatsoever Nature.

And whereas it was further demanded, that his Majesty would be pleased not to employ any Person or Persons in Office or Place, that shall be judged incapable by Sentence of Parliament, his Majesty agreeth thereto ; nor will he make use of their Service, without the Consent of Parliament, nor grant them Access to his Person.

5th Demand.

“ That their Ships and Goods, and all Damage
 “ thereof may be restored.

Answer.

This is condescended unto, on Condition it be reciprocal.
 And the Scottish Commissioners having informed, that
 about

- 1640-1. *about fourscore Ships of Scotland are yet stayed in the English Ports, and are like to suffer much further Loss and Damage ; it is agreed, That Warrants shall be presently granted for the Delivery of them, and that four Thousand Pounds be presently advanced, for helping the present setting forth of the said Ships.*

6th Demand.

“ That for the Losses wick the Kingdom of Scotland hath sustained, and for the vast Charges they have been put unto, Reparation be made.

Answer.

The Parliament of England grants to the Scots for this purpose, the Sum of three Hundred Thousand Pounds.

And whereas it was desired by the Scottish Commissioners, that the English Commissioners would let them know the Security, Manner, and Terms of Payment, of the aforesaid Sum, and of the Arrears due for Relief of the northern Counties ; It was agreed by Order of the Parliament, that they should have fourscore Thousand Pounds, with the whole Arrears due to the Army, before the disbanding thereof. And for paying the Remnant of the said Sum, an Act of Parliament of publick Faith, shall pass for Security thereof ; and that one Moiety shall be paid at Midsummer 1642, and the other Moiety a Year after, in 1643.

And in like manner, whereas it was desired by the Scottish Commissioners, that they might know to whom they should address themselves for Payment of the fore-mentioned Sums, the Parliament hath appointed Commissioners — and resolved that the Place of Payment shall be the Chamber of London. And lastly, that a Safe-Conduet shall be granted for the secure Transporting of the Moneys to Scotland.

7th Demand.

“ That all such Declarations, Proclamations,
 “ Books, Libels, &c. as have been made against
 “ the Subjects of *Scotland* may be suppressed and de-
 “ stroyed.

Answer.

*It is agreed, that all such Declarations, &c. be re-
 ciprocally suppressed in England, Ireland, and Scot-
 land.*

8th Demand.

Containing several Articles.

“ 1. That all Tokens and Shews of Hostility upon
 “ the Borders of the two Kingdoms may be taken
 “ away; and particularly, that not only the Garri-
 “ sons of *Berwick* and *Carlisle* may be removed, but
 “ that the Works may be slighted, and the Places
 “ dismantled (b).

Answer.

*His Majesty is desirous, that all Things between the
 Kingdoms of England and Scotland, be reduced into the
 same State they were in before the beginning of the late
 Troubles.*

“ 2. That there be Unity in Religion, and Uni-
 “ formity of Church-Government between the two
 “ Nations.

Answer.

*His Majesty with the Advice of both Houses of Par-
 liament, doth approve of the Affection of his Subjects in
 Scotland,*

(b) This Clause was usually inserted in Treaties between *Eng-
 land* and *Scotland*, that neither of the two Nations should take Pos-
 session of *Berwick* or *Carlisle*.

1640-1. Scotland, in their desire of having a Conformity of Church-Government between the two Nations; and as the Parliament hath already taken into Consideration the Reformation of Church-Government, so they will proceed in due Time, as shall best conduce to the Glory of God, the Peace of the Church, and of both Kingdoms.

“ 3. That the King’s Majesty and the Prince come
“ and reside sometimes in Scotland.

Answer.

His Majesty will repair thither, as he shall find the Urgency of their Affairs require his Presence, and his other Conveniencies here permit.

“ 4. That the Officers of State, Counsellors and
“ Sessioners within the Kingdom of Scotland, be plac-
“ ced by Advice of Parliament.

Answer.

His Majesty promises to give Ear so far to the Informations of his Parliament, and when the Parliament is not sitting, of his Council and College of Justice, as that he shall either make choice of such as they shall recommend unto him; or if he thinks another Person fitter than any of those recommended, he shall make the same known to the Parliament, or in the time between Parliament, to the Council and Session, that if there is just Exception against the Life and Qualification of the said Party, he may timely nominate some other, against whom there shall be no just Exception. His Majesty declares also, that the Places in the College of Justice, shall be provided unto the Judges, Quamdiu se bene gesserint. If this Answer cannot content the Scottish Commissioners, his Majesty remits the whole Answer to be considered by him, or his Commissioners, at the Parliament, at the next sitting thereof.

“ 5. That

" 5. That his Majesty would be pleased to place
 " about his own Person, in Places of greatest Near-
 " ness and Trust, some of his *Scotish* Subjects.

Answer.

His Majesty shall continue the same Care which hitherto be hath done for their Satisfaction in this Particular ; and not only so, but shall also recommend the same to the Prince his Son.

" 6. That none may have Place about his Majesty, and the Prince, but such as are of the Reformed Religion.

Answer.

His Majesty doth conceive, that his Subjects of Scotland have no Intention by this Proposition, (especially by way of Demand) to limit, or prescribe unto him the choice of his Servants, but rather to shew their Zeal to Religion ; wherein his own Piety will make him do therein, that which may give just Satisfaction to his People.

" 7. That the Copper-Coin, which hath passed in
 " Scotland this long time for seven Times, and above
 " as much as the true Value and Worth thereof, be
 " newly regulated ; and that no Copper-Money be
 " coined hereafter without Consent of the Estates
 " convened in Parliament.

Answer.

His Majesty recommends this Matter to the ensuing Parliament of Scotland, not only concerning the Copper-Coin to be coined hereafter, but also the Copper-Money already coined, how the same shall pass in Payment for the time to come

After

1640-1.
Rush. VI.
p. 370.

After these Articles, there was added to the Treaty, the Draught of an *Act of Oblivion*, the most ample that could be, which was to pass in all the Parliaments of the three Kingdoms, but of which the Benefit was not to extend to the *Scotish Prelates*, the Earl of *Traquaire*, Sir *Robert Spotswood*, Sir *John Hay*, and Mr. *Walter Balcanqual*.

The Lord *Lowdon* having carried this Treaty to *Scotland*, to communicate it to the Parliament of that Kingdom, which was already assembled, returned some time after with twelve Articles, explaining certain Passages of the Treaty, and to which the *English* Commissioners returned Answers that were agreed to. These Articles with the Answers were added to the Treaty. In fine, the Treaty was confirmed and ratified by an Act of Parliament inserted at the End, to this Effect :

“ Be it therefore enacted by his Majesty, with the
“ Assent of the Lords and Commons in this present
“ Parliament assembled, that the said Treaty, and
“ all the Articles thereof assented to, as aforesaid,
“ be and stand for ever ratified and established, and
“ have the Force, Vigour, Strength, and Authority
“ of a Law, Statute and Act of Parliament.

(The same Thing for *Scotland*.)

“ And his Majesty for himself and his Successors,
“ doth promise *in verbo Principis*, never to come in
“ the contrair of this Statute and Sanction, or any
“ Thing therein contained ; but to hold the same in
“ all Points firm and stable, and shall Cause it to
“ be truly observed by all his Majesty's Leiges, ac-
“ cording to the Tenor and Intent thereof, for now
“ and ever. Like as the Parliament of both King-
“ doms give full Assurance, and do make publick
“ Faith in the Name of both Kingdoms respectively,
“ for the true and faithful Observance of this Treaty,
“ and whole Articles thereof inviolably, *hinc inde*,
“ in all Times to come.

As

As afterwards the King thought he had reason to complain that the *Scots* had violated this Treaty in two of the main Articles, I imagine the Reader will be glad to see here these two Articles at large, on which this Complaint was grounded. They are contained in the *Act of Oblivion* in these Words:

It is agreed that an Act be passed in the Parliament of England; That the Kingdoms of England or Ireland shall not denounce nor make War against the Kingdom of Scotland, without Consent of the Parliament of England: As, on the other part, it shall be enacted there, That the Kingdom of Scotland shall not denounce nor make War against the Kingdom of England or Ireland, without Consent of the Parliament of Scotland.

A particular Clause concerning the War between the two Kingdoms. Ibid. P. 371.

And in case any of the Subjects of any of the Kingdoms shall rise in Arms, or make War against any of the Kingdoms and Subjects thereof, without Consent of the Parliament of that Kingdom whereof they are Subjects, or upon which they do depend, That they shall be held, reputed, and demeaned, as Traitors to the States whereof they are Subjects.

It happened afterwards that the King and Parliament making War upon each other, the *Scots* sent an Army to the Assistance of the Parliament of England against the King, from whence he inferred, that to make War against him was to make War against England. The *Scots* on the contrary pretended, that very far from making War against England, they sent their Troops thither on purpose to assist that Kingdom. It is easy to perceive that from this Diversity of Principles proceeds the Diversity of Consequences.

To finish in a Word what relates to Scotland, I shall only say, that the King went thither in the Month of August 1641, stayed there till the 19th of November, assisted in Person at the Parliament, and gave the Royal Assent to all the *Acts* presented to him.

The King grants the Scots all they demand.

1640—1.

He resents
the Mortifi-
cations
given him
in Eng-
land.

him. To this came the Projects he had formed with regard to *Scotland*, since the Beginning of his Reign.

What has hitherto been said of the Parliament's Behaviour to the King is sufficient to show, how sensible the King must needs have been of the Mortifications he daily received. He had passionately desired to be revenged of the *Scots*, or at least to drive them out of the Kingdom; and he saw that the Parliament made them a present of Three Hundred Thousand Pounds to reward them for their coming. He hated the *Presbyterians*, and would have been glad to have had it in his Power to root out *Presbyterianism*: but he saw that on the contrary, the *House of Commons* openly took their Part, and laboured to pull down *Episcopacy*. His two principal Ministers in whom he most confided were in the *Tower*, and he easily perceived the *Commons* intended not to stop there, since with regard to the Earl of *Strafford*, they were daily employed in seeking Means to make good their Charge against him. Two other of his Ministers had been forced to fly, and the appearing to be still well-affected to him, was sufficient to render any Person the Object of the Persecution of the *Commons*.

Difference
between
Charles I.
and Hen-
ry VIII.

It has already been seen after what manner the King governed for Fifteen Years, and one cannot but be convinced, that he intended to alter the Government, and procure for himself and Successors a Power much more extensive than what was allowed him by the Laws, and to which none of his Predecessors, except *Richard II*, had ever pretended. I except not even *Henry VIII*, the most absolute of all the Kings of *England*, since *William the Conqueror*. But there was this Difference between *Henry VIII* and *Charles I*. *Henry* did whatever he pleased by way of Parliament; whereas *Charles* pretended to rule without Parliaments, looking upon them as little necessary to the Constitution of the Government. Since the Meeting of this Parliament, scarce a Day had passed but the *Commons* struck at the King's Project,

by declaring what he had done during fifteen Years, to 1640—I. be contrary to the Laws, or by prosecuting with the utmost Rigour the Instruments he had used in the Execution of his Designs. It is easy therefore to see how much all these Mortifications must have touched the King, and with what Impatience he bore the haughty Manner in which the Parliament acted with him. Nothing was more against his inflexible Temper, than to see himself forced to stoop to a *House of Commons*, for whom he had before shown nothing but Contempt. It is no wonder then, that in this his sad State, he should think of some way to free himself from this slavish Yoke. But a slight Attempt he made to compass this End, had no other Effect but to cast him down a Precipice, of which it was not possible for him to get clear.

I mean the Project of gaining the Army, and causing them to declare for the King. The King approved of the Project, without perceiving the Consequences, having no Minister about him that had either the Inclination or Ability to give him good Counsel. I am sensible that this here is a Place full of dangerous Rocks, on which an Historian can very hardly escape being Shipwrecked. This Plot to win the Army, is by some looked upon as a Chimera, a mere Fiction, to render the King odious. But on the other Hand, the Parliament considered it as a very real Conspiracy, and pretended to draw from thence an evident Proof that the King's Compliance with respect to the Redress of *Grievances* was all Disimulation, in Expectation of an Opportunity to restore himself by force to the State he was in before this Parliament. This begot in the Parliament an invincible Distrust with regard to the King, and a Resolution to put it out of his Power to break his Word, and the Means they used to this End, occasioned the Civil Wars which I shall speak of hereafter. It is therefore absolutely necessary to examine this Conspiracy thoroughly, in order to know whether it was real or invented: for from hence flow all

*Plot to get
the Army
to declare
for the
King;*

*Which had
an ill ef-
fect for
him.*

*Necessity of
examining
the Reality
of this
Plot.*

1640-I.

Its Con-
nection
with the
Earl of
Strafford's
Affair.
Bill of At-
tainer a-
gainst the
Earl of
Strafford
passes the
House of
Commons.
Rush. IV.
p. 225.

the ensuing Proceedings of the King and Parliament, and upon this it is that the judicious and disinterested Reader may blame the one or other. But before I proceed to the Relation of this Plot, it will be requisite to say something of the Earl of *Strafford's* Affair, with which this has some Connection.

The Earl had been impeached by the *Commons* the 11th of *November* 1640: but his Process could not be ready to be tried till the 22d of *March* 1640--1. This Tryal lasted till the 12th of *April*, and then the *Commons*, who had been present all the while, perceiving doubtless that the Sentence would not be so rigorous as they wished, resolved to proceed against the Earl by way of *Bill of Attainder*. They voted therefore on the 16th and 19th of *April*, that it was sufficiently proved that the Earl of *Strafford* had endeavoured to subvert the fundamental Laws of the Kingdom, and introduce an arbitrary and tyrannical Government into the Realms of *England* and *Ireland*, and that this was High-Treason. On the 21st of the same Month, the *Bill of Attainder* was passed, there being Two Hundred and Four for it, and Fifty-nine against it.

Petition a-
gainst the
Earl.
Rush. IV.
p. 233.

p. 238.

The *Bill* met with so great Opposition in the *House of Peers*, that it was very doubtful whether it would be passed or thrown out. For which reason, on the 24th was presented to both *Houses* a *Petition*, subscribed by above Forty * Thousand Inhabitants of *London*, setting forth the Causes of their Suspicions and Fears. And amongst others, that Justice was not yet executed upon the Earl of *Strafford*, and that there was reason to dread some secret Plot against the Parliament. The 28th of *April* the *Commons* sent a Message to the Lords, that they had received Information that the Earl of *Strafford* had a Design to make an Escape out of the *Tower*: that the Guard about him was weak, and therefore desired he might be *close Prisoner*, and his Guards strengthened,

* Twenty, says *Rushworth*, Vol. IV. p. 232.

strengthened, to which the Lords consented. The 1st 1640—1.
of May the King came to the Parliament, and in a P. 239.
Speech to both Houses said :

“ THAT having been present at the Tryal of 1641.
“ the Earl of *Strafford*, he could not in Con- *The King's*
“ science condemn him of High-Treason ; though *Speech to*
“ he thought him guilty of Misdemeanors. There- *the Lords.*
“ fore he desired the Lords to find some way to
“ bring him out of this great Streight.”

The *Commons* were very much troubled and discon- *The Rab-*
tented with this Speech, and immediately adjourned *ble get to-*
till May the 3d, on which Day a great Multitude at *gether at*
Westminster insulted and threatned the Lords, as they *Westmin-*
were going to their *House* crying out, *Justice, Justice.* *ster.*

This same Day Mr. *Pym* made known to the House, *Pym dis-*
“ That there were divers Informations given of def- *covers to*
“ perate Designs both at Home and Abroad, against *the House*
“ the Parliament and the Peace of the Nation ; and *of Com-*
“ that the Persons engaged therein were under an *mons a*
“ Oath of Secrecy : That there was an Endeavour *Plot to se-*
“ to disaffect the Army, not only against the Par- *duce the*
“ liament's Proceedings, but to bring them up a- *Army.*
“ gainst the Parliament to over-awe them : That *Rush. IV.*
“ there was also a Design upon the *Tower* ; and En- *P. 240.*
“ deavours used for the Earl of *Strafford* to escape :
“ That these Combinations at Home had a Cor-
“ respondency with Practices Abroad ; and that the
“ *French* were drawing down their Forces amain to
“ the Sea-side : And there was a Cause to fear their
“ Intent was upon *Portsmouth* : That divers Persons
“ of Eminency about the Queen were deeply en-
“ gaged in these Plots : That it was necessary that
“ the Ports should be stopped ; and his Majesty de-
“ sired to command, That no Person attending up-
“ on the King, Queen, or Prince, should depart
“ without Leave of his Majesty, with the humble
“ Advice of his Parliament.”

1641.

Whereupon, the *House* fell into a serious Debate of this Matter, and were generally of Opinion, that it was necessary to enter into a common Resolution for the Safety of the Kingdom.

When it is considered in what Conjunction this Conspiracy was discovered to the *House*, though Mr. *Pym* was informed of it long before; that it was at a time when the Business in Hand was to compel in some measure the Peers to pass the *Bill of Attainder* against the Earl of *Strafford*; and when the Rabble used also some Violence to them, there seems to be ground to suspect that it was only an Artifice to stir up the People, and move the Lords to do as the *Commons* desired, from a Fear of the imminent Danger the Kingdom was threatned with. At least there is reason to believe, this Conspiracy was highly aggravated. But this is only a Conjecture, which is not to be relied on, till we have seen the Arguments *Pro* and *Con*. Be this as it will, the *Commons*, after a Debate of the Matter, came to a Resolution of making the following *Protestation*, which should be subscribed by all their Members.

Protestation taken by the House of Commons.
Ruth. IV.
p. 241.

I A. B. do in the Presence of Almighty God, promise, vow and protest, to maintain and defend as far as lawfully I may, with my Life, Power and Estate, the true reformed Protestant Religion, expressed in the Doctrine of the Church of England, against all Popery and Popish Innovation within this Realm, contrary to the said Doctrine; and according to the Duty of my Allegiance I will maintain and defend his Majesty's Royal Person, Honour and Estate.

Also the Power and Privilege of Parliaments, the lawful Rights and Liberties of the Subjects, and every Person that shall make this Protestation, in whatsoever he shall do in the lawful Pursuance of the same; and to my Power, as far as lawfully I may, I will oppose, and by all good Ways and Means, endeavour to bring condign Punishment on all such as shall by Force, Practice, Counsels, Plots, Conspiracies, or otherwise do any thing to
the

the contrary in this present Protestation contained: And further, That I shall in all just and honourable Ways, endeavour to preserve the Union and Peace betwixt the Three Kingdoms of England, Scotland and Ireland: And neither for Hope, Fear, or any other Respects, shall relinquish this Promise, Vow and Protestation.

1941.

It must be remarked that this *Protestation* was resolved on the bare Assurance that Mr. Pym gave of the Discovery of a Plot, and before there was any proof of the Thing. Hence it may be conjectured that the Matter was determined beforehand among the Leading-Men in the *House*. After that the *Commons* came to several Resolutions, to provide for the Safety of the Kingdom, and the Town of *Portsmouth* in particular. They communicated to the Lords the Informations they had received, the *Votes* they had passed, the *Protestation*, desiring them that every Member of their *House* might be ordered to take the same.

Remark on
this Sub-
ject.

It was no easy matter for the Lords to help doing what the *Commons* desired. In the first Place they had inspired the Nation with such a Terror, that no one durst oppose their *Resolves*, for fear of being looked upon as having ill Designs, and exposed to inevitable Ruin. Secondly, the People still continued to flock together about *Westminster*, and openly threatened the Lords. Thirdly, the Multitude presented the same Day a *Petition* to the Lords, demanding Justice against the Earl of *Strafford*, and that their Lordships would please to free them from the Fears of the Conspiracy. Fourthly, on the Morrow being the 4th of *May*, the People getting together again at *Westminster* in greater Numbers than the Day before, some Incendiaries posted up against a Wall in the Old *Palace-Yard*, the Names of Fifty-six Members, and called them *Straffordians*, and *Betrayers of their Country*. Lastly, the same Day the Multitudes presented to the Lords another *Petition*, saying, that they understood the *Tower* was going to receive a

*Petition of
the Rabble
to the
Lords.
Rush. IV.
p. 249.*

*The Straffordians,
p. 257.*

*Another
Petition.*

1641.

Balfour's
Confession
against the
King.

The Lords
desire the
Concur-
rence of the
Commons
to disperse
the Mob.

They take
the Pro-
testation.
Rush. IV.
p. 250.
Ibid.

The People
retire.

Garrison of Men, not of the *Hamlets* (as usually) but consisting of other Persons under the Command of a Captain, a great Confident of the Earl of *Strafford's*, which was done to make way for the Earl's Escape. Upon this *Petition* the *House* sent six *Peers* to go and examine Sir *William Balfour* Lieutenant of the *Tower*, about the Truth of the Matter. *Balfour* answered, it was true he had his Majesty's order to receive one Hundred Men into the *Tower*, and Captain *Billingly* to command them, and to receive only such Men as the Captain should bring to him; but understanding now their Lordships Pleasure, he would receive no other Guard into the *Tower* but the *Hamlet-Men*.

The Lords did further declare, at a Conference with the *Commons*, that they were drawing to a Conclusion of the *Bill of Attainder*, but were so encompassed with Multitudes of People, that they might be conceived not to be free, and therefore desired the *Commons* to join with them, to find out some way to send the People to their Homes. Then they debated the *Protestation*, passed it, and took the same. It was taken by four Hundred and Thirty-three *Commoners*, and one Hundred and Six Lords, including the Bishops and Judges. The *Commons* having ordered Doctor *Burgefs* to acquaint the Multitude with the *Protestation* taken by both *Houses*, and that they were desired to return to their Homes, they forthwith departed.

There are then two Things which seem to be evident in this Affair. The first, that there was a Project on foot to help the Earl of *Strafford* to make an Escape, which will be seen more clearly hereafter. The second, that the Concourse of the People was privately brought about by some of the Leading-Men of the *Commons*, since the Day before, the *House* had taken no Step towards dispersing the Multitudes; though they were desired by the Lords, and since they found Means to cause the People to return home as soon as they knew the Lords had resolved to take the *Protestation*.

But the *Protestation* was not the only Effect of the Conspiracy. The same Day the *Commons* ordered the bringing in of a *Bill* for the Continuance of this present Parliament, that it might not be dissolved without the Consent of both *Houses*. They ordered likewise the *Protestation* to be tendered to the whole Kingdom.

1640.
Bill for the
Continu-
ance of the
Parlia-
ment.
Rush. IV.
p. 250.

The same Day, May the 4th, the *House* was informed that six or eight of the Conspirators were fled, of whom Mr. Henry Jermin, and Mr. Henry Percy, Members of the *House*, were two, and that they were gone towards *Portsmouth*. At the same Time Information came that the Queen was preparing to go to the same Place. These two Informations one upon another causing strong Suspicions, the *Houses* dispatched to *Portsmouth* one Lord and two *Commoners*, to propose certain *Queries* to the Governour, and take Care for the Security of the Town and Haven. They agreed withal to move the Queen to forbear her Journey to *Portsmouth*, alledging several Reasons which were not the true ones, [particularly the safety of her Majesty's Person.] They desired also the King to issue out a Proclamation for the calling in Jermin, Percy, and other Fugitives, which the King promised to do. The same Day, the *Speaker* sent by order of the *House*, the following Letter to Sir Jacob Ashly, with a Charge to communicate the same to the Army.

Flight of
the Conspi-
rators.
p. 252.

Precaution
for Port-
smouth.

p. 260.

p. 252.

p. 261.

S I R,

WE have had Cause to doubt, that some ill-affect-
ed Persons have endeavoured to make a Misun-
derstanding in the Army, of the Intentions of the Parlia-
ment towards them. To take away all Misunderstanding
in that kind, the House of Commons have commanded
me to assure you, that they have taken the Affairs of the
Army into their serious Care: And though for the present
their Monies have not come in as they wished, and as was
due, by reason of the many Distractions, and other Im-
pediments,

The Spea-
ker's Letter
to the Ar-
my.

ibid.
p. 252.

1641. *pediments, which this House could no ways avoid; yet they rest most assured, that they shall not only have their full Pay, but the House will take their Merits into their further Consideration, in regard they take notice, that notwithstanding their Want, and Endeavours of those ill-affected Persons, they have not demeaned themselves otherwise than as Men of Honour, and well-affected to the Commonwealth; which this House takes in so good part, that we have already found out a way to get Money for a good part of their Pay, and will take the most speedy Course we possibly may for the rest. So I remain,*

Your loving Friend,

WILLIAM LENTHALL.

In the mean while the Committee that had been appointed to enquire into the Conspiracy, made their Report in the following manner.

“ That this Plot consisteth of three Heads: The
 “ first was, the Design upon the Tower. The Se-
 “ cond, to engage the Army: The Third, to bring
 “ in foreign Forces. For the *Tower*, it appeared to
 “ be thus: Captain *Billingly* being examined upon
 “ Oath, confessed, That he was acquainted with Sir
 “ *John Suckling*: That the said Sir *John* lately of-
 “ fered him Employment in one of the King’s Ships,
 “ then at *Portsmouth*; afterwards Employment for
 “ *Portugal*: That this Deponent having notice to
 “ meet at the Privy-Lodgings at *White-Hall*, did
 “ there receive Orders to get an Hundred Men to
 “ serve in the *Tower*, under him. And if he did
 “ fail, he should answer it with his Life. And af-
 “ terwards meeting with Sir *John Suckling*, and ac-
 “ quainting him therewith, he told him he would
 “ furnish him with the said Number. Sir *William*
 “ *Belfore*, Lieutenant of the Tower, being examin-
 “ ed, said, that he had Command to receive Captain

“ *Billingly*

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“ *Billingſly* with an Hundred Men into the *Tower*,
“ who ſhould be under his Command. That the
“ Earl of *Strafford* at that Time expoſtulating with
“ him about his Eſcape, told him, he would at-
“ tempt nothing in that kind without his Privity ;
“ and that he ſhould have the King’s Warrant for
“ his Indemnity ; and that the Warrant ſhould be
“ to command him to remove the Earl of *Strafford*
“ from the *Tower*, to ſome other Caſtle ; and he
“ would then take his Opportunity to eſcape ; that
“ the Lieutenant of the *Tower* not giving any com-
“ plying Answer thereunto, the ſaid Earl ſent again
“ to him to intreat him to come to him, and would
“ have perſwaded him to let him make his Eſcape ;
“ ſaying, *Without your Concurrence it cannot be done ;*
“ *and if you will conſent thereunto, I will make you*
“ *preſent Payment of Twenty-two Thouſand Pounds, be-*
“ *ſides you ſhall have a good Marriage for your Son.*
“ To which the Lieutenant of the *Tower* replied,
“ he was ſo far from concurring therein, that he
“ was not to be further moved in ſuch a Thing.
“ Thus much the Lieutenant of the *Tower* delivered
“ upon his Oath.

“ Colonel *Goring*, upon his Examination in the
“ Houſe of *Commons*, did confeſs, that Sir *John*
“ *Suckling* was the firſt Perſon that ever made any
“ Overture unto him, concerning the Army’s march-
“ ing towards *London* : Afterwards being in the
“ Queen’s Lodgings, he met with Mr. *H. P.* which
“ was about the beginning, or middle of *Lent* laſt,
“ and Mr. *P.* told him, there was a Conſultation
“ of Officers to be had, concerning the Good of the
“ Army ; and deſired him to go along with him to
“ his Chamber, where the Meeting was to be. There
“ were preſent at the ſame Meeting, Commiſſary
“ *Wilmot*, Colonel *Aſhburnham*, Captain *Pollard*,
“ Sir *John Berkly*, *Daniel O Neal*, Mr. *Fermin*, and
“ himſelf : That Mr. *P.* ſaid, There were Propoſi-
“ tions to be made which were of great Concern-
“ ment ; and that it was neceſſary there ſhould be
“ an

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“ an Oath of Secrecy taken before any Thing was
 “ propounded : That the Oath should be to this
 “ purpose : That we should neither directly nor in-
 “ directly discover any part of the Consultation,
 “ nor ever think our selves dissolved from that Oath,
 “ by any other Oath which might be imposed upon
 “ us hereafter : Which Oath was read out of a Pa-
 “ per, when it was tendered unto them ; and there-
 “ upon they were sworn, by laying their Hands up-
 “ on the Bible ; that he and *Jermin* were sworn to-
 “ gether ; for the rest had taken the Oath before.”

Then three Propositions were made unto them,
 namely :

*As these Propositions are expressed in a Letter which
 will be seen presently, they are omitted here for Brevity's
 sake.*

He further said, “ That the whole Number there
 “ met, were of Opinion, that the Army should not
 “ march towards *London*, till a Declaration had been
 “ first sent up to the Parliament : That he the said
 “ *Goring* answered, it was a nice Point to interpose
 “ in the Proceedings of the Parliament ; and did
 “ propound some Difficulties to allay the Business,
 “ to divert Commissary *Wilmot*, and those other Per-
 “ sons from so dangerous a Business : And said,
 “ that he did think it was a Design of Folly to un-
 “ dertake it ; for they must think the *Scots* would
 “ take the Advantage upon the Army's removal
 “ southwards, whose Correspondency was so great
 “ with the City ; and for them to begin to shew their
 “ Teeth, and not be able to bite, would argue little
 “ Prudence ; that they should either undertake it so
 “ as to go through with it, or let it alone : That
 “ he did ask them what Ammunition they had to ac-
 “ commodate so great an Army ; and whether they
 “ could command the Ammunition in the *Tower* :
 “ That *Wilmot*, *Pollard*, and *Askeburnham*, then made
 “ Answer, they had no purpose to go to *London* ;
 “ for to surprise the *Tower*, was to conquer the King-
 “ dom :

dom : That this, amongst other Passages, was part of the Discourse at the first Meeting.

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“ That shortly after there was another Meeting of the same Persons, and in the same Place, in Mr. Percy’s Chamber, where there were Propositions of another Nature, desperate and impious on the one Hand, and foolish on the other ; and that he endeavoured by Argument to divert them, by propounding an impossibility to effect the same : For how could the Army, lodged in several Quarters, unpaid, and at such a Distance, march on a sudden to *London*, and surprize what they had in Design ?

“ That Mr. *Fermin* was the Person that first proposed the marching of the Army towards *London* : That for his Part he declared himself absolutely against it. That Mr. *Fermin* replied to him in private, *You do not dislike the Design, for you are as ready for any wild, mad Undertaking, as any Man I know ; but you dislike the Temper of those Persons who are engaged in the Business.*

“ He did further confess, that he propounded that *Suckling* might be admitted to the Consultation : But *Wilmot* and *Ashburnham*, and *Pollard*, would not hear of it. And they three did then declare themselves against the Army’s marching towards *London*.

“ Then he took occasion to say, that he did acquaint some Members of both Houses, whom he could name, that there were some of the Army whom they did not think so well of, were more favourable and serviceable to the Parliament than they were aware of, which Time would produce ; and named them : And they did accordingly give Testimony of his Integrity, so far as general Terms could discover the Design. He confessed, that Mr. *Fermin* did make some Offers unto him, to relinquish the Government of *Portsmouth* upon some Terms of Advantage : But he said, he did not conclude any Thing, for he would first see the
“ Performance

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“ Performance of what was offered ; so had no further Discourse with him concerning that Business. But he doth believe that *Suckling* and *Jermin* did confer together about the Design. He said they did desire Opinion about a General ; some were for *Essex*, some for *Holland* ; but he, with Mr. *Jermin*, were for *Newcastle*.

“ Being again examined upon Oath before the Committee of Lords and Commons, and pressed more particularly to answer Questions not before proposed unto him, he did confess, That meeting with Mr. *Jermin* in the Queen’s withdrawing Chamber, her Majesty came and told him, the King would speak with him ; and meeting his Majesty, he told him, he was minded to set his Army in a good Posture, being advised thereunto by the Earl of *Bristol* (as he said) and his Majesty then commanded him to join with Mr. *Percy*, and some others in that Business.

“ As for the Designs from beyond the Seas, the Committee did make Report to the House, That it was cleared unto them, that *Jermin* endeavoured to have got the Possession of *Portsmouth* ; That the King of *France* had drawn down great Forces to the Sea-side ; That the Governour of *Calice* had examined some *English*-Men, whether the Earl of *Strafford*’s Head was cut off ? And this was in point of Time, the *First of May*, according to the *English Stile* ; and Sir *Philip Cartwright*, Governour of *Guernsey*, wrote Letters also, which came in great haste, that he understood the *French* had a Design upon that *Island*, or some part of *England*. It also appeared to the Committee, by divers of the Letters which were opened coming from beyond Sea, that they expected the Earl of *Strafford* there ; and that they hoped the *Horse-Leeches* should be starved for want of Blood : And in some of those Letters there was Advice to the Cardinal to bestir himself betimes, to interrupt the height of the Proceedings here in *England*.

“ Also

“ Also Examination of some Priests were taken in
 “ *Lancashire*, and sent up to *London*, which were
 “ there taken the *third of May*, which did testify,
 “ that the Priests did say, the Parliament should be
 “ suddenly *dissolved*: For the Army was to march
 “ up thither with all speed, and they would be se-
 “ conded by Forces out of *France*; and that *Mon-*
 “ *tague* did write out of *France* to Mr. *Percy* (which
 “ was also intercepted) that if he did perform what
 “ he had undertaken, he would be made a Knight
 “ of the Garter. ”

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Upon these Depositions, the House of *Commons*
 passed the following Votes against *Percy*, *Fermin*, and
Suckling.

“ 1. That in the Months of *March* and *April* last, Votes a-
 “ they did conspire to draw the Army together, and gainst Per-
 “ employ the same against the Parliament, and by cy, &c.
 “ force and dread thereof, to compel the Parlia- Rush. IV.
 “ ment to agree to certain Propositions by them, p. 258.
 “ and to hinder and interrupt the Proceedings of the
 “ Parliament.

“ 2. That in Pursuance of the said Design, they
 “ did endeavour to perswade divers Members of the
 “ House of *Commons*, and others, being Officers of
 “ the said Army, that is to say, *Wilmot*, *Ashburn-*
 “ *bam*, *Berkley*, *Pollard*, and *O Neal*, that they were
 “ disobliged by the Parliament, thereby to incense
 “ them against the Parliament; and did hold divers
 “ Consultations with the said Parties, to effect the
 “ said wicked Design; and to that purpose did set
 “ down in Writing, certain Propositions to the Ef-
 “ fect as followeth, viz. 1. The preserving of Bi-
 “ shops in their Functions and Votes. 2. The not
 “ disbanding of the *Irish* Army, untill the *Scots* were
 “ disbanded. 3. And the endeavouring to settle the
 “ King's Revenue to the Proportion it was for-
 “ merly.

3. That

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“ 3. That for the more secret Carriage of this
 “ Plot, they did administer to the said Parties a
 “ wicked and unlawful Oath, whereby they did swear
 “ upon the Holy Evangelists, not to reveal any
 “ Thing that was spoken concerning the Business.
 “ 4. That they did propound and endeavour to
 “ perswade the Persons before-named, and other Of-
 “ ficers of the Army, to put the said Army into a
 “ warlike Posture, to bring them up to *London*, to
 “ make themselves sure of the *Tower*, and so by
 “ force to compel the Parliament to conform to
 “ their Will : And they did endeavour to work a
 “ Belief in the said Army, that the King and Par-
 “ liament would disagree ; and that all the *French*
 “ about the City of *London* would assist them : And
 “ to the great Scandal of the King, that the Prince
 “ and the Earl of *Newcastle* were to meet the Army
 “ at *Nottingham* with a Thousand Horse ; that *Suck-*
 “ *ling*, to compass the Design of gaining the *Tower*,
 “ did contrive that an Hundred Men, under Captain
 “ *Billingly*, should be designed for that purpose,
 “ when the Opportunity was offered, to the end the
 “ City of *London* should not be able to make any
 “ Resistance, when the said Army should come up ;
 “ and *Suckling*, by the Means and Plot aforesaid did
 “ thereby endeavour, that the Earl of *Strafford*,
 “ then Prisoner in the *Tower*, might the better com-
 “ pass his Escape. ”

Besides the Depositions before-mentioned, here is
 a Testimony of one of the chief Conspirators, of
 which the Parliament made great use. It is a Letter
 of *Percy's* after his Flight into *France*, to his Brother
 the Earl of *Northumberland*.

Mr. Per-
 cy's Letter
 to the Earl
 of Nor-
 thumber-
 land.
 Rush. IV.
 p. 255.

“ **W**Hat with my own Innocency, and the Vio-
 “ lence I hear is against me, I find my self
 “ much distracted. I will not ask your Counsel,
 “ because it may bring Prejudice upon you ; but I
 “ will

“ will with all Faithfulness and Truth tell you what 1641.

“ my Part hath been, that at least it may be declared

“ by you, whatsoever becomes of me.

“ When there was 50000*l.* ready, designed by the
“ Parliament for the *English* Army, there was, as I
“ take it, a sudden Demand by the *Scots* at the same
“ Time of 25000*l.* of which there was 15000*l.* ready ; this they pressed with such Necessity, as the
“ Parliament after an Order made, did think it fit
“ for them to reduce 10000*l.* out of the 50000*l.*
“ formerly granted : Upon which the Soldiers in
“ our House, were much scandalized ; amongst
“ which I was one, and sitting by *Wilmot* and *Ashburnham*, *Wilmot* stood up, and told them, if that
“ the *Scots* could thus produce Money, he doubted
“ not but the Officers of the *English* Army might
“ easily do the like. But the first Order was reversed notwithstanding, and 10000*l.* given to the
“ *Scots*. This was the Cause of many Discourses of
“ dislike amongst us, and came to this purpose, that
“ they were disobliged by the Parliament, and not
“ by the King : This being said often to one another, we did resolve, *Wilmot*, *Ashburnham*, *Pollard*, *O Neal*, and my self, to make some Expressions of serving the King in all Things he would
“ command us, that were honourable for him and
“ us, being likewise agreeing to the Fundamental
“ Laws of the Kingdom, that so far we would live
“ and dye with him ; this was agreed upon with us,
“ not having any Communication with others, that
“ I am coupled now withal : And further, by their
“ joint Consent, I was to tell his Majesty thus much
“ from them ; but withal, I was to order the Matter
“ so as the King might apprehend this as a great
“ Service done unto him at this Time, when his Affairs were in so ill a Condition, and they were
“ most confident, that they would engage the
“ whole Army thus far ; but further they would undertake nothing, because they would neither infringe the Liberties of the Subjects, nor destroy
“ the

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“ the Laws; to which I and every one consented;
 “ and having their Sense, I drew the Heads up in
 “ a Paper, which they all approved when I read it;
 “ and then we did, by an Oath, promise one ano-
 “ ther to be constant and secret in all this, and did
 “ all of us take this Oath together: Then, said I,
 “ well, Sirs, I must now be informed what your
 “ particular Desires are, that so I may be the better
 “ able to serve you; which they were pleased to do;
 “ and so I did very faithfully serve them therein as
 “ far as I could. This is the Truth, and all the
 “ Truth upon my Soul, in particular Discourses.
 “ After that we did fall upon petitioning to the
 “ King and Parliament for Moneys, there being so
 “ great Arrears due to us, and so much Delays made
 “ in the procuring of them; but that was never
 “ done.

- “ 1. Concerning the Bishops Functions and Votes.
 “ 2. The not disbanding of the *Irish* Army; un-
 “ til the *Scots* were disbanded too.
 “ 3. The endeavouring to settle his Majesty's Re-
 “ venue to that Proportion it was formerly (a).

“ And it was resolved by us all, if the King
 “ should require our Assistance in those things, that
 “ as far as we could, we might contribute thereunto,
 “ without breaking the Laws of the Kingdom; and
 “ in case the King should be denied these things be-
 “ ing put to them, we would not fly from him:
 “ All these Persons did act and concur in this as
 “ well as I, this being imparted to the King by me
 “ from them, I perceived he had been treated with
 “ by others concerning some things of our Army;
 “ which agreed not with what was proposed by me,
 “ but inclined a way more sharp and high, not having
 “ Limits

(a) The Word *formerly* is very ambiguous; for it may signify
 either the King's lawful Revenues, or those he enjoyed just be-
 fore this Parliament.

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" Limits either of Honour or Law. I told the King;
 " he might be pleased to consider with himself, which
 " way it was fit for him to hearken unto; for us,
 " we were resolved not to depart from our Grounds;
 " we should not be displeased, whosoever they
 " were, but the Particular of the Designs, or the
 " Persons we desired not to know; though it was
 " no hard Matter to guess at them. In the End, I
 " believe the Danger of the one, the *Justice* of the
 " other, made the King tell me, he would leave all
 " Thoughts of other Propositions but *ours*; as things
 " not practicable; but desired, notwithstanding that
 " *Goring* and *Fermin*, who were acquainted with the
 " other Proceedings, should be admitted amongst
 " us. I told him, I thought the other Gentry
 " would never consent to it, but I would propose it;
 " which I did, and we were all much against it:
 " But the King did press it so much, as at the last it
 " was consented to; and *Goring* and *Fermin* came to
 " my Chamber; there I was appointed to tell them,
 " after they had sworn to Secrecy, what we had
 " proposed; which I did. But before I go into the
 " Debate of the way, I must tell you, *Fermin* and
 " *Goring* were very earnest *Suckling* should be admit-
 " ted; which we did all decline; and I was desired
 " by all our Men to be resolute in it, which I was,
 " and gave many Reasons: Whereupon Mr. *Goring*
 " made answer, he was engaged with Mr. *Suckling*
 " his being employed in the Army; but for his
 " meeting with us, they were contented to pass it by:
 " Then we took up again the Ways which were pro-
 " posed; which took great Debate, and *theirs* differ-
 " ed from *ours* in Violence and Heat; which we all
 " protested against, and parted, disagreeing totally;
 " yet permitted it to be spoken of by me and *Fer-*
 " *min* to the King, which we both did; and the
 " King, constant to his former Resolutions, told him
 " these ways were all vain and foolish, and he would
 " think of them no more. I omit one thing of
 " Mr. *Goring*, he desired to know how the chief

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“ Commanders were to be disposed of ; for if he
“ had not a Condition worthy of him, he would
“ not go along with us. We made answer, That no
“ body thought of that ; we intended, if we were
“ sent down, to go all in the same Capacity we were
“ in. He did not like that by any Means, and by
“ that did work so with Mr. *Chidly*, that there was
“ a Letter sent by some of the Commanders to make
“ him Lieutenant-General : And when he had or-
“ dered this at *London*, and Mr. *Chidly* had his In-
“ structions, then did he go to *Portsmouth*, pretend-
“ ing to be absent when this was working ; we all
“ desired my Lords of *Essex* and *Holland* ; but they
“ said, if there were a General, they were for *New-*
“ *castle* : They were pleased to give Report that I
“ should be General of the Horse. But I protest,
“ neither to the King, or any else, did I ever so
“ much as think of it. My Lord of *Holland* was
“ made General, and so all things were laid aside.
“ And this is the Truth, and all the Truth I know
“ of these Proceedings : And this I will and do pro-
“ test unto you upon my Faith. And *Willmot*,
“ *Ashburnham* and *O Neal*, have at several times con-
“ fessed and sworn, I never said any thing in the Bu-
“ siness, which they did not every one agree unto
“ and justify. This Relation I send you rather to
“ inform you of the Truth of the Matter, that you
“ may the better know how to do me good ; but I
“ should think my self very unhappy to be made a
“ Betrayer of any Body. What concerned the
“ *Tower* or any thing else, I never meddled withal,
“ nor ever spoke with *Goring* but that Night before
“ them all ; and I said nothing but what was con-
“ sented unto by every Party : I never spake one
“ word with *Suckling*, *Carnarvan*, *Davenant*, or any
“ other Creature. Methinks if my Friends and
“ Kindred knew the Truth and Justice of the Mat-
“ ter, it were no hard Matter to serve me in some
“ measure.”

This

This Letter shows plainly enough there was really a Project to gain the Army, and engage them to serve the King against the Parliament, and that the King knew and approved of the same.

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The 16th of *June* the Committee appointed to examine the Business of the Plot to seduce the Army, made a second Report to the *House*, and caused several Depositions to be read.

Rush. IV.

P. 291.

The 1st was Captain *Billingley's*, who confessed that Sir *John Suckling* had invited him to take upon him the Command of the Hundred Men that were to be sent to guard the *Tower*.

The 2d Mr. *Nut's*, whereby it appeared that the Earl of *Strafford's* Escape was projected.

The 3d Lieutenant Colonel *Ballard's*, who said, that Captain *Chudleigh* brought down to the Army many Propositions; some of which were, that Colonel *Goring* should be Lieutenant-General, and that the Prince and the Earl of *Newcastle* would be in *Nottinghamshire* with a Thousand *Horse* ready to join with the Army.

The 4th was *Willis's*, who declared that the *French* were to favour the Enterprize; that the *Clergy* would at their own Charge send Two Thousand *Horse*, and that the Prince was to come down to the Army.

The *House* was further informed, that the Officers who had undertaken to serve the King, had communicated to him the Draught of a *Petition*, which was to be directed to the King and Parliament from the Army: that they hoped to get it subscribed by most of the Officers, and that the King, after reading it, had approved of the same, and writ at the Bottom these two Letters, C. R. as a Token of his Approbation.

Draught
of a Peti-
tion of the
Officers
communi-
cated to
the King.
He ap-
proves of
it.

These are the Grounds on which was built the Reality of this Plot, which was extremely injurious to the King, by the Distrust it bred in the Minds of the major Part of the Members of Parliament, and of the Nation in general. But it must be added, that King *Charles's* Friends count it a mere Chimera

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Reasons to
believe the
Pl & real.
Clarend. I.
p. 244.

to this Day. For my part, I cannot help saying that I believe there was some Truth in it; but I am of Opinion, that the Heads of the contrary Party to the King greatly aggravated the Circumstances and Consequences, in order to get the *Bill of Attainder* against the Earl of *Strafford*, and the *Act* for the Continuance of the present Parliament the more easily passed, to which the King gave the Royal Assent on the same Day, and in this same Conjunction. And what confirms me the more in this Opinion is, the very Arguments themselves alledged by the King's Friends to show that it was all a Fiction to render the King odious. For they cannot help owning, that there was a Project to engage the Army to declare for the King. They say only that the End the Authors of this Project proposed to themselves, was to hinder the Army from being seduced to espouse the Interest of the Parliament. But first, there appears not the least Sign of this End which is pretended to be the only one, either in the Depositions of the Witnesses, or in *Percy's* Letter, or in the Reports of the Committee appointed to examine this Affair. Secondly, the King, whom the Parliament so often reproached afterwards with this same Plot, never made use of this Reason to excuse the Authors. In the third Place, it is not so much as probable, that the Officers should have any such purpose, since at that time the Army was too much displeased with the Parliament, to afford any Ground to fear they should suffer themselves to be seduced to declare against the King. The most plausible thing they say is, that there was never any express Design to march the Army to *London*, upon which however the *Commons* chiefly insisted. The denying this Circumstance was what the King solely stuck to, as will be seen hereafter. He called God to witness, he never knew of any such Design. But he never denied positively the having been informed of a Design to engage the Army to his Side. We must therefore carefully distinguish two things in this Conspiracy. The Design of gaining the Army,

which

which appears plainly enough; and the Design of marching the Army to *London*. It appears by the Depositions, that such a Design was proposed in the Assembly of Officers, but was not approved. So the King could affirm he knew of no such Resolution, because in effect it was never resolved, though he was not ignorant of its having been proposed.

We see in *Percy's* Letter a thing which may very much help to bring Light to this Matter. That is, there were two Sets of People who formed at the same time a Design to engage the Army in the King's Interest, without having communicated their Thoughts to one another. The first Set were *Percy, Wilmot, Ashburnham* and *Pollard*. The second, *Jermin* and *Goring*, whose Views went much farther, and who purposed to march the Army to *London*. For tho' *Goring* in his Deposition affirmed, he had done his utmost to dissuade the rest from such a Design, he is said however to be the first that proposed it. If *Percy's* Letter is to be credited, the King had at first listened to *Jermin* and *Goring*: but upon *Percy's* Representation, had rejected their Project as impracticable, and laid aside all Thoughts of it. The King's Friends confound these two Projects, and all their Proofs are directed against that of *Jermin* and *Goring*, without meddling with that of *Percy*. And because the Parliament could not fully prove that there was an express Design to bring the Army to *London*, they conclude, that the Conspiracy in general was all a Fiction and a Calumny. But though there was never any settled Design to march the Army to *London*, it may be true however that Endeavours were used to gain them, and that the King approved of the Thing. In short, the King's Friends do not deny that the Draught of a *Petition* was communicated to him, before it was recommended to the Officers of the Army for their Subscription. Of this *Petition* I am still to speak, in order to finish the clearing of this Matter.

It is strange that this *Petition*, which has been so much talked of, should never be produced either by the Parliament to support their Charge, or by the King for his own Vindication. It is true indeed, the King afterwards pretended he had lighted upon a Copy, but thought not fit to produce it, though he affirmed there was no harm in it. This gives occasion to suspect, there was something prejudicial to him. The Earl of *Clarendon* has inserted in his History a *Petition*, which he assures to be word for word the same the King subscribed C. R. But it is evident, it cannot be that in question. Here it is, the Reader will judge of it.

To the KING's most Excellent Majesty;
The Lords Spiritual and Temporal;
The Knights, Citizens and Burgeſſes,
now Aſſembled in the High Court of
Parliament,

The humble Petition of the Officers and Soldiers
of the Army,

The pretended Petition from the Officers of the Army.
Clarend. I.
P. 245.

HUmblly ſheweth, That although our Wants have been very preſſing, and the Burthen we are become unto theſe Parts (by reaſon of thoſe Wants) very grievous unto us; yet ſo have we demeaned our ſelves, that your Maſteſty's great and weighty Affairs in this preſent Parliament have hitherto received no Interruption, by any Complaint, either from us or againſt us; a Temper not uſual in Armies; eſpecially in one deſtitute not only of Pay, but alſo of martial Diſcipline, and many of its principal Officers; that we cannot but attribute it to a particular Bleſſing of Almighty God, on our moſt hearty Affection and Zeal to the common Good, in the happy Succeſs of this Parliament; to which, as we ſhould have been ready hourly to contribute our deareſt Blood, ſo now
that

that it hath pleased God to manifest his Blessing so evidently therein, we cannot but acknowledge it with Thankfulness; as likewise his great Mercy, in that he hath inclined your Majesty's Royal Heart so to co-operate with the Wisdom of Parliament, as to effect so great and happy a Reformation upon the former Distemper of this Church and Commonwealth: As first, in your Majesty's gracious condescending to the many important Demands of our Neighbours of the Scottish Nation: Secondly, in granting so free a Course of Justice against all Delinquents of what Quality soever: Thirdly, in the Removal of all those Grievances, wherewith the Subjects did conceive either their Liberty of Persons, or Property, or Estate, or Freedom of Conscience, prejudiced: And lastly, in the greatest Pledge of Security that ever the Subjects of England received from their Sovereign, the Bill of Triennial Parliament.

These things so graciously accorded unto by your Majesty, without Bargain or Compensation, as they are more than Expectation or Hope could extend unto, so now they are certainly such, as all loyal Hearts ought to acquiesce in with Thankfulness; which we do with all Humility, and do at this time, with as much Earnestness as any, pray and wish, that the Kingdom may be settled in Peace and Quietness, and that all Men may, at their own Homes, enjoy the blessed Fruits of your Wisdom and Justice.

But it may please your Excellent Majesty, and this High Court of Parliament, to give us leave, with grief and anguish of Heart, to represent unto you, that we hear there are certain Persons stirring and pragmatical, who instead of rendering Glory to God, Thanks to your Majesty, and Acknowledgment to the Parliament, remain yet as unsatisfied and mutinous as ever; who, whilst all the rest of the Kingdom are arrived even beyond their Wishes, are daily forging new and unreasonable Demands; who, whilst all Men of Reason, Loyalty and Moderation, are thinking how they may provide for your Majesty's Honour and Plenty, in return of so many Graces to the Subject, are still attempting new Diminutions

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of your Majesty's just Regalities, which ever must be no less dear to all honest Men, than our own Freedoms; In fine, Men of such turbulent Spirits, as are ready to sacrifice the Honour and Welfare of the whole Kingdom to their private Fancies, whom nothing else than a Subversion of the whole Frame of Government will satisfy: Far be it from our Thoughts to believe, that the Violence and Unreasonableness of such kind of Persons can have any Influence upon the Prudence and Justice of the Parliament. But that which begets the Trouble and Disquiet of our loyal Hearts, at this present, is, that we hear those ill-affected Persons are backed in their Violence by the Multitude and the Power of raising Tumults; that Thousands flock at their Call, and beset the Parliament, and Whitehall itself; not only to the Prejudice of that Freedom which is necessary to great Councils and Judicatories, but possibly to some personal Danger of your Sacred Majesty, and the Peers.

The vast Consequence of these Persons Malignity, and of the Licentiousness of those Multitudes that follow them, considered in most deep Care and zealous Affection for the Safety of your Sacred Majesty, and the Parliament; our humble Petition is, that in your Wisdom you would be pleased to remove such Dangers, by punishing the Ring-leaders of these Tumults, that your Majesty and the Parliament may be secured from such Insolencies hereafter. For the suppressing of which, in all Humility we offer our selves to wait upon you (if you please) hoping we shall appear as considerable in the Way of Defence to our gracious Sovereign, the Parliament, our Religion, and the established Laws of the Kingdom, as what Number soever shall audaciously presume to violate them: So shall we, by the Wisdom of your Majesty and the Parliament, not only be vindicated from precedent Innovations, but be secured from the future, that are threatned, and likely to produce more dangerous Effects than the former:

And we shall pray, &c.

Give

Give me leave to make some Remarks upon this *Petition*, in order to show that it cannot be the same that was communicated to the King and subscribed by him with the two Letters, C. R. as a Token of his Approbation.

In the first Place, it evidently appears that this was drawn up at *London*, precisely at the very time when the Multitudes were got together at *Westminster*, which happened not till the 3d and 4th of *May*, there having been no such Concourse of People before, and this lasting but two Days. But it will be seen hereafter that the King himself said, that this *Petition*, upon which he writ C. R. was brought to him from the Army, and that after having read it, he approved of it, as containing no Hurt. If the *Petition* which was communicated to the King had been drawn up in the Army, it cannot be this here. Since they that penned it could not foresee the riotous Assemblies at *Westminster* on the 3d and 4th of *May*, which however they speak of as then in being. And if it was drawn at *London*, as 'tis very likely, it cannot be that which was communicated to the King, since he affirmed that it was brought to him from the Army.

It will be said perhaps, that this *Petition* might be penned at *London* the 3d or 4th of *May*, at the Time of the Concourse, that it was sent to the Army, and then brought back to *London* to be communicated to the King. But allowing only a Fortnight for those Journies from *London* to *York*, and from *York* to *London*, and for the communicating it to the Officers dispersed in different Quarters about the Country, the *Petition* would come too late to the King, and he would have been able to make no use of it, since the Riots were ceased, the Earl of *Strafford* dead, and the King had passed the Bill for the Continuance of the Parliament. It would have been therefore very preposterous for the King to approve of this *Petition* at such a Juncture.

Secondly,

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Reasons so
show that
this is not
the true
Petition
which was
communi-
cated to
the King.

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Secondly, The Earl of *Clarendon* gives to understand, that this *Petition* was projected and drawn long before the 3d and 4th of *May*, by the very Officers who were afterwards accused of the Conspiracy. He says, after the King had subscribed it, it was carried down to the Army and signed by some Officers, but was suddenly quashed, and no more heard of till the Discovery of the pretended Plot, of which more in its Place. This is a clear Evidence that the *Petition* whereon the King subscribed, *C. R.* had been communicated long before the 3d or 4th of *May*, the Day of the Discovery of the Plot. But if this be so, how could the Authors of the *Petition* speak of the Riots on the 3d and 4th of *May*, as actually in being? The *Petition* the King subscribed cannot therefore be the same that the Lord *Clarendon* has inserted in his History.

In the third Place, The Officers who had designed to gain the Army to the King, and who according to the Lord *Clarendon* projected likewise the *Petition* to the King and Parliament which was approved by his Majesty, proposed as their End, to preserve the *Bishops Votes and Functions*, to hinder the disbanding the *Irish Army till that of the Scots was disbanded too*, and to settle the King's Revenues. But in the *Petition* above, there's not one Word of any of these Articles *.

Lastly,

* *Whitlock's* Account of this Matter, is thus ; The Officers put themselves into a *Junto* of sworn Secrecy, drew up some Heads by way of *Petition* to the King and Parliament, For Money for the Army. Not to disband before the Scots. To preserve *Bishops Votes and Functions*. To settle the King's Revenues. The Army being tainted from hence, met, and drew up a Letter, or *Petition*, which was shewed to the King, and approved and signed by him with *C. R.* and a Direction to Captain *Leg*, that none should see it but Sir *Jacob Ashley* ; the main Drift was, That the Army might be called up to attend the Safety of the King's Person, and Parliament's Security, or that both Armies might be disbanded. *Whitlock's* Memorials, p. 44.

Lastly, we shall see hereafter that the King to justify his signing the *Petition*, said nothing more was required in it, than the settling of the Government upon the same Foot it was under Queen *Elizabeth*. But in the *Petition* given us by the Lord *Clarendon* as That the King subscribed, there is nothing like it, *Elizabeth* not being so much as named therein.

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Before I conclude this Matter, I must not omit what has been said concerning *Percy's* Letter to his Brother the Earl of *Northumberland*. 'Tis pretended that *Percy*, endeavouring to escape into *France*, was known at the Sea-side, and wounded by some Persons who would have stopped him : That getting out of their Hands and flying to the Earl of *Northumberland*, that Lord prevailed with some of the Leading Men of the *Commons*, that his Brother's Escape should be connived at, on Condition he would write the Letter above-mentioned, as if it was writ in *France*.

Doubts concerning Percy's Letter.

It is easy to perceive that the Drift of this is to cause the Relation in that Letter to be suspected of Falshood. But I don't find it is positively affirmed, or that any Proofs are produced to show the Forgery. The whole amounts to a bare Assertion that the Conspiracy in Question was a Fiction, a Chime-ra, a Calumny : That the Parliament curtailed the Depositions of the Witnesses, omitting every Thing that made for the King : That the Conferences in *Percy's* Chamber, were free Conversations between some Friends, of whom some were Members of Parliament : That the Depositions of the Witnesses were fitter to demonstrate there was never any Conspiracy to seduce the Army, than to prove there was any such Thing in reality. But upon all this, we must take as good Proofs, the bare Word of those who relate these Facts, which they have not cleared in the least (a).

Clarend. I. p. 267, &c.

As

(a) Mr. *Nelson*, who took upon him to justify the King against the false Accusations of his Enemies, as he says himself in his Introduction, passes over this Article very slightly. See the End of Vol. I. of his *Collections*.

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*The Earl of
Strafford's
Tryal.*

As the King was frequently reproached with this Conspiracy afterwards, I thought it necessary to give a just Notion of the Thing, that the Reader may be the better able to judge of the Objections and Answers I shall have frequent occasion to mention. It is time now to proceed to the Lord *Strafford's* Tryal.

If it is not taken for granted, that *Charles I.* from the beginning of his Reign to the Time of this last Parliament, had formed a Design to establish in *England* an Arbitrary Government, it would be almost impossible to understand fully his History, and particularly this second Part. But upon this Supposition, which to me appears incontestable, all Difficulties vanish. One is not surprized to see the King's Council, his Ministers, Favourites, the *Star-Chamber*, *High-Commission*, Judges of the Realm, in a Word, all Persons in Publick Employments, intent upon one single Affair, I mean the stretching the Royal Authority as far as lay in their Power. One is not surprized to see the implacable Hatred of the *House of Commons* towards the King's Ministers, and particularly towards those who were most trusted by his Majesty, and believed to be the chief Authors of the publick Evils. Among these, the Earl of *Strafford* was looked upon as the most dangerous, because the most able, and because his two High-Posts of President of the *Court of York*, and Lord-Lieutenant of *Ireland*, afforded him frequent Opportunities to serve the King effectually, and help him in the Execution of his Designs. Accordingly he was the first the *Commons* attacked, eight Days after the opening of the Parliament. The Impeachment and Tryal of this Lord, contains abundance of remarkable Things, some whereof are, as I may say, above the Comprehension of Foreigners, by Reason of the great Difference between the Laws and Customs of *England*, and those of other States. It would therefore be too difficult a Task for me to undertake to give a particular Account of all the Circumstances of this famous Tryal, which have been collected and put into

a large

a large Folio. For this Reason I shall content my self to give a general Notion of it, such as I shall think proper to satisfy the Reader's Curiosity.

There is no doubt, that when the *Commons* impeached the Earl of *Strafford*, his Ruin was resolved by the Leading-Men of that *House*. The Earl being looked upon as of greatest Credit, and most in Favour of all the King's Ministers, and as the principal Author of the Miseries of the Kingdom, this was sufficient to make it thought requisite to sacrifice him to the Publick. I do not think it necessary to seek after other Motives of this Resolution, or to ascribe it to more hidden Causes. Since the Parliament undertook to redress *Grievances*, and restore the Government to its ancient State, nothing was more natural than to punish such as had helped to unhinge it, and among these the Earl of *Strafford* was the Principal, and consequently the fittest to serve for an Example to those who should in time to come, ingage in the like Attempt. But besides this, he had made himself many Enemies, by his imperious Behaviour, to which great Ministers who are secure of their Master's Favour, are genreally but too liable. Moreover he had deserted the People's Interest, after having strenuously maintained it whilst a Member of the *House of Commons*, and devoted himself entirely to the King. This was enough to render him odious, and the *Commons* when they impeached him, knew very well they could not do any Thing more grateful to the People. He was therefore accused of High-Treason, not that within the short space since the opening of the Parliament the *Commons* could have any Assurance of his being guilty of that Crime, but upon a certain publick Evidence, and the inward Conviction of the major Part of the Members. After his being sent to the *Tower* upon this Impeachment, the *House* considered of the Articles on which they were to ground the Charge, and when they were brought to the Lords, Proofs were sought after to make them good.

These

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Nelson, II.
p. 1-206.

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These Articles, to the Number of Twenty-eight, tended to prove in general, that the Earl of *Strafford* had endeavoured to subvert the fundamental Laws of the State, and set up an Arbitrary Power. So, though each of the pretended Crimes whereof he was accused, could not be accounted High-Treason, the *House* would have it, that all together manifestly showed the End he drove at, and the Means he had employed to attain it. The Substance of the Twenty-eight Articles is as follows :

Articles of
Accusation
against the
Earl of
Strafford,
Jan. 30.
1640.
Rush.
VIII.
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p. 10.

“ I. That he being President of the King’s Council in the North-Parts of *England*, had procured to himself a Commission with Instructions annexed, whereby Power was given to him, to determine all Offences, Suits, &c. within certain Precincts therein specified, and in such manner as the said Instructions did appoint, according to the Proceedings of the Star-Chamber. By Virtue of which Commission, he had exercised an exorbitant and unlawful Jurisdiction over the Persons and Estates of his Majesty’s Subjects in those Parts, to their Ruin.

“ II. That at the Assizes held for the County of *York*, he did publicly declare and publish before the People, that some of the Justices were all for Law, and nothing would please them but Law ; but they should find, *That the King’s little Finger should be heavier than the Loyns of the Law.*

“ III. That being Lord-Deputy of *Ireland*, he did say in a publick Speech, That *Ireland* was a conquered Nation, and that the King might do with them what he pleased : And speaking of the Charters of former Kings of *England*, made to the City of *Dublin*, he further then said, that their Charters were nothing worth, and did bind the King no farther than he pleased.

“ IV. That *Richard* Earl of *Cork*, a Peer of *Ireland*, having sued out Process in Course of Law, for recovery of his Possessions, from which

“ he was put, by Colour of an Order made by the
“ Lord *Strafford*, and the Council ; he, the said Lord
“ *Strafford*, threatened the said Earl to imprison
“ him, unless he would surcease his Suit, and said,
“ that he would have neither Law nor Lawyers dis-
“ pute or question his Orders.

“ That the said Earl of *Cork* having contested the
“ Validity of an Order of Council made in *Ireland*,
“ in the Time of King *James I*, the Lord *Strafford*
“ had said, that he would make the said Earl and
“ all *Ireland* know, that so long as he had the Go-
“ vernment of that Kingdom, any Act of State
“ there made or to be made, should be as binding
“ to the Subjects of that Kingdom, as an Act of
“ Parliament. And that he did sundry other Times,
“ and upon sundry other Occasions, by his Words
“ and Speeches, arrogate to himself a Power above the
“ Fundamental Laws, and established Government
“ of that Kingdom, and scorned the said Laws and
“ established Government.

“ V. That he did give, and procure to be given,
“ against the Lord *Mountnorris*, (then a Peer of *Ire-*
“ *land*, Vice-Treasurer, and Receiver-General of that
“ Kingdom, and Treasurer at War, and one of the
“ Principal Secretaries of State, and Keeper of the
“ Privy-Signet of the said Kingdom,) a Sentence of
“ Death by a Council of War, called together by
“ the said Earl of *Strafford*, without any Warrant,
“ or Authority of Law, or Offence deserving any
“ such Punishment.

“ And he the said Earl, did also at *Dublin*, without
“ any legal or due Proceedings, or Tryal, give,
“ and cause to be given a Sentence of Death against
“ one other of his Majesty Subjects ; and caused
“ him to be put to Death in Execution of the same
“ Sentence.

“ VI. That without any legal Proceedings, and
“ upon a Paper-Petition, he did cause the said Lord
“ *Mountnorris* to be disseized and put out of his Man-
“ nor of *Tymore* in the Kingdom of *Ireland* ; the
“ said

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These Articles, to the Number of Twenty-eight, tended to prove in general, that the Earl of *Strafford* had endeavoured to subvert the fundamental Laws of the State, and set up an Arbitrary Power. So, though each of the pretended Crimes whereof he was accused, could not be accounted High-Treason, the *House* would have it, that all together manifestly showed the End he drove at, and the Means he had employed to attain it. The Substance of the Twenty-eight Articles is as follows :

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“ said Lord Mountnorris having been 18 Years before in quiet Possession thereof.

“ VII. That he did cause a Case, commonly called *the Case of Tenures upon defective Titles*, to be made and drawn up without any Jury or Tryal, or other legal Process, and without the Consent of Parties, and did then procure the Judges of the Realm of *Ireland* to deliver their Opinions and Resolutions to that Case, and by Colour of such Opinion, did without any legal Proceeding, cause *Thomas Lord Dillon*, and many others to be put out of the Possession of divers Lands and Tenements, whereby many of his Majesty's Subjects, and their Families were utterly undone.

“ VIII. That without any legal Process, he had made a Decree or Order against *Adam Viscount Loftus*, a Peer, and Lord-Chancellor of *Ireland*, and did cause the said Viscount to be imprisoned, on pretence of Disobedience to the said Decree or Order. That afterwards, without any Authority, he required and commanded the said Lord Viscount to yield up unto him the Great-Seal of the Realm of *Ireland*, which was then in his Custody, by his Majesty's Command, and imprisoned the said Chancellor for not obeying such his Command.

“ That he did imprison *George Earl of Kildare*, thereby to enforce him to submit his Title to the Mannor and Lordship of *Castle-leigh* in the Queen's Country, being of great yearly Value to the said Earl of *Strafford's* Will and Pleasure, and kept him a Year Prisoner for the said Cause; and refused to enlarge him, notwithstanding his Majesty's Letters for his Enlargement to the said Earl of *Strafford* directed.

“ That upon a Petition exhibited to him against *Dame Mary Hibbotts*, Widow; the said Earl of *Strafford* recommended the said Petition to the Council-Table of *Ireland*, where the most part of the Council gave their Vote and Opinion for the said Lady; but the said Earl finding fault herewith

caused

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“ caused an Order to be entered against the said
“ Lady, and threatned her, that if she refused to
“ submit thereunto, he would imprison her, and
“ fine her five Hundred Pounds; that if she conti-
“ nued obstinate, he would continue her Imprison-
“ ment, and double her Fine every Month; by
“ means whereof she was enforced to relinquish her
“ Estate in the Lands questioned in the said Petition,
“ which shortly after were conveyed to Sir *Robert*
“ *Meredith*, to the use of the said Earl of *Strafford*.

“ That the said Earl in like manner did imprison
“ divers others of his Majesty’s Subjects, upon the
“ like Pretences, &c.

“ IX. That the said Earl assuming to himself a
“ Power above and against Law, took upon him by
“ a general Warrant under his Hand, to give Power
“ to the Lord Bishop of *Down* and *Connor* his Chan-
“ cellor, &c. to attach and arrest the Bodies of all
“ such of the meaner and poorer sort, who after Ci-
“ tation should either refuse to appear before them,
“ or appearing, should omit or deny to perform, or
“ undergo all lawful Decrees, Sentences and Orders
“ imposed, or given out against them, and them to
“ commit and keep in the next Goal, untill they
“ should either perform such Sentences, or put in
“ sufficient Bail to shew some Reason before the
“ Council-Table, of such their Contempt and Neg-
“ lect.

“ X. That he had procured the Customs of the
“ Merchandize Exported out, and Imported into
“ *Ireland*, to be framed to his own use. And, to ad-
“ vance his own Gain and Lucre, did cause and pro-
“ cure the native Commodities of that Kingdom, to
“ be rated in the Book of Rates for the Customs, ac-
“ cording to which the Customs, at far greater Va-
“ lues and Prices than in Truth they were worth;
“ that is to say, every Hide at Twenty Shillings,
“ which in Truth was worth but Five Shillings, every
“ Stone of Wool at Thirteen Shillings Four-pence,
“ though the same were really worth but Five Shil-
“ lings,

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 “ Custom, which before was but a Twentieth Part
 “ of the true Value of the Commodity, was enhan-
 “ ced sometimes a Fifth Part, and sometimes to a
 “ Fourth, and sometimes to a Third Part of the
 “ true Value.

“ XI. That the said Earl did restrain the Expor-
 “ tation of the Commodities of the Kingdom of
 “ *Ireland*, without his Licence; and then raised great
 “ Sums of Money for Licences of Exportation of
 “ those Commodities, and Dispensation of the said
 “ Restraints imposed on them, by which means
 “ those Commodities were raised above half in
 “ half.

“ XII. That under Colour to regulate the Impor-
 “ tation of Tobacco into *Ireland*, he did issue a
 “ Proclamation, prohibiting the Importation of To-
 “ bacco into that Kingdom; after which Restraint,
 “ the said Earl caused divers great Quantities of To-
 “ bacco to be imported to his own use: That if any
 “ Ship brought Tobacco into any Port there, the
 “ said Earl and his Agents used to buy the same to
 “ his own use, at their own Price; and if the Own-
 “ ers refused to let him have the same at undue Va-
 “ lues, then they were not permitted to vent the
 “ same there; by which undue Means, the said Earl
 “ having gotten the whole Trade of Tobacco into
 “ his own Hands, he sold it at great and excessive
 “ Prices.

“ That by a Proclamation he commanded that
 “ none should put to Sale any Tobacco by wholesale,
 “ but what should be made up into Rolls, and the
 “ same sealed with two Seals by himself appointed,
 “ one at each end of the Roll: And such as was not
 “ sealed to be seized, appointing Six-pence the
 “ Pound for a Reward to such Persons as should seize
 “ the same. Which Proclamation was rigorously
 “ put in Execution, by seizing the Goods, fining,
 “ imprisoning, whipping, and putting the Offenders
 “ in the Pillory. And though he enhanced the Cus-

“ toms, where it concerned the Merchants in general,
 “ yet he drew down the Impost formerly taken on
 “ Tobacco, from Six-pence to Three-pence the
 “ Pound, it being for his own Profit so to do.

“ That he raised several other Monopolies and un-
 “ lawful Exactions for his own Gain, viz. on Starch,
 “ Iron-pots, Glasses, Tobacco-pipes, &c.

“ XIII. That Flax being one of the principal and
 “ native Commodities of *Ireland*, the said Earl ha-
 “ ving gotten great Quantities thereof into his Hands,
 “ and growing on his own Lands, did issue out se-
 “ veral Proclamations, prescribing and enjoining the
 “ working of Flax into Yarn and Thread, and the
 “ ordering of the same in such ways wherein the Na-
 “ tives of that Kingdom were unpractised and un-
 “ skilful; and the Flax wrought or ordered in other
 “ manner than as the said Proclamation prescribed,
 “ was seized and employed to the Use of him and his
 “ Agents, and thereby the said Earl did gain in effect
 “ the sole Sale of that native Commodity.

“ XIV. That the said Earl, by Proclamation, did
 “ impose upon the Owners, Masters, Purfers, and
 “ Boatswains of every Ship, a new and unlawful
 “ Oath, viz. That they immediately after the Ar-
 “ rival of any Ship within any Port or Creek in the
 “ Kingdom of *Ireland*, should give in a true Invoice
 “ of the outward Bulk of Wares and Merchandizes
 “ first laden aboard them, together with the several
 “ Marks and Number of Goods, and their Qualities
 “ and Condition, the Names of the several Mer-
 “ chants, Proprietors of the said Goods, and the
 “ Place from whence they were fraughted, and whi-
 “ ther they were bound, &c.

“ XV. That by his own Authority, without any
 “ Warrant or Colour of Law, he did tax and im-
 “ pose great Sums of Money upon divers Towns and
 “ Places in *Ireland*; and did cause the same to be
 “ levied upon the Inhabitants of those Towns by
 “ Troops of Soldiers, with Force of Arms, in a
 “ warlike Manner; and sent such Numbers of Sol-

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“ diers to lie on the Lands and Houses of such as
 “ would not conform to his Orders, until they should
 “ render Obedience to his said Orders; and this he
 “ did at several times and in divers places, by which
 “ means he levied War within the said Realm against
 “ his Majesty and his Liege-People of that King-
 “ dom.

“ XVI. That the said Earl did make a Propositi-
 “ on, and obtained from his Majesty an Allowance
 “ thereof, That no Complaint of Injustice or Op-
 “ pression done in *Ireland*, should be received in
 “ *England* against any, unless it appeared that the
 “ Party made first his Address to him the said Earl.
 “ And to prevent the Subjects of that Realm of all
 “ means of Complaints to his Majesty and of Redress
 “ against him and his Agents, he did issue a Procla-
 “ mation, thereby commanding all the Nobility,
 “ Undertakers and others, who held Estates and Of-
 “ fices in the said Kingdom, to make their personal
 “ Residence in the said Kingdom of *Ireland*, and not
 “ to depart thence without Licence of himself;
 “ which Proclamation the said Earl had by several
 “ rigorous Ways, as by Fine, Imprisonment, and
 “ otherwise, put in Execution; by means whereof the
 “ Subjects of that Realm were restrained from seek-
 “ ing Relief against the Oppressions of the said
 “ Earl.

“ XVII. That speaking of the Army in *Ireland*,
 “ he did declare, That his Majesty was so well pleased
 “ with the Army of *Ireland*, and the Consequences
 “ thereof, that his Majesty would certainly make the
 “ same a Pattern for all his Three Kingdoms.

“ XVIII. That, in order to draw Dependency upon
 “ himself of the Papists in both Kingdoms of *Eng-
 “ land* and *Ireland*, during the Time of his Govern-
 “ ment in *Ireland*, he restored divers *Fryeries* and
 “ *Mas-Houses*, (which had been formerly suppress-
 “ sed by the precedent Deputies of that Kingdom;
 “ two of which Houses are in the City of *Dublin*,
 “ and

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“ and had been assigned to the Use of the University
“ there) to the pretended Owners thereof.

“ That in the Months of *May* and *June* last, the
“ said Earl did raise an Army in *Ireland*, consisting
“ of Eight Thousand Foot, all of which, except
“ One [Thousand] or thereabouts were *Papists* ;
“ and the said One Thousand were drawn out of the
“ old Army there, and in their places there were a
“ Thousand *Papists* put into the said old Army by
“ the said Earl.

“ That the more to engage and tie the said new Ar-
“ my of *Papists* to himself, and to encourage them, he
“ did so provide, That the said new Army of *Papists*
“ were duly paid, &c. but the said old Army were
“ for the space of one whole Year and upwards
“ unpaid.

“ That being appointed a Commissioner within
“ Eleven several Counties of the *northern* Parts of
“ *England*, for compounding with Recusants for their
“ Forfeitures due to his Majesty ; and being also Re-
“ ceiver of the Composition-Money thereby arising,
“ he did compound with them at low and under
“ Rates, and provided, that they should be dis-
“ charged of all Proceedings against them in all his
“ Majesty's Courts, both Temporal and Ecclesiasti-
“ cal, contrary to the Laws and Statutes of this
“ Realm.

“ XIX. That he did of his own Authority con-
“ trive and frame a new and unusual Oath, by the
“ Purport whereof, the Party taking the said Oath,
“ was to swear that he should not protest against any
“ of his Majesty's Royal Commands, but submit
“ himself in all due Obedience thereunto. Which
“ Oath he enforced on the Subjects of the *Scottish* Na-
“ tion inhabiting in *Ireland* ; and compelled divers
“ of his Majesty's said Subjects there to take the said
“ Oath against their Wills ; and of such as refused
“ to take it, some he grievously fined and imprisoned,
“ and others he destroyed and exiled. Namely, he
“ fined *Henry Steward* and his Wife, who refused to

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“ take the said Oath, 5000 *l.* a-piece, and their two
 “ Daughters and *James Gray* 3000 *l.* a-piece, and im-
 “ prisoned them for not paying the said Fines.

“ That he did upon that occasion declare, That the
 “ said Oath did not only oblige them in point of Al-
 “ legiance to his Majesty, and Acknowledgment of
 “ his Supremacy only, but to the Ceremonies and
 “ Government of the Church established, and to be
 “ established by his Majesty's Royal Authority, and
 “ said, That the Refusers to obey he would prose-
 “ cute to the Blood.

“ XX. That he was the chief Incendiary of the
 “ last War against the *Scotish* Nation, by inciting
 “ and provoking his Majesty against his Subjects of
 “ *Scotland*; and had declared and advised his Majesty,
 “ that the Demands made by the *Scots* in their Par-
 “ liament, were a sufficient Cause of War against
 “ them: That he said, that the Nation of the *Scots*
 “ were Rebels and Traytors; and he being then a-
 “ bout to come to *England*, further said, That if it
 “ pleased his Majesty to send him back again, he
 “ would root out of the Kingdom of *Ireland* the *Scot-*
 “ *tish* Nation both Root and Branch: That he had
 “ caused divers of the Ships and Goods of the *Scots*
 “ to be stayed, seized and molested, to the Intent to
 “ set on the War between the two Nations.

“ XXI. That at his Arrival into *England*, finding
 “ that his Majesty had composed the Troubles in the
 “ *North*, and made a Pacification with his Subjects of
 “ *Scotland*, he laboured by all means to procure his
 “ Majesty to break that Pacification. And having
 “ incited his Majesty to an offensive War against his
 “ *Scotish* Subjects, he counselled his Majesty to call
 “ a Parliament in *England*, yet he intended that if
 “ the Proceedings of that Parliament should not be
 “ such as would stand with his mischievous Designs,
 “ he would then procure his Majesty to break the
 “ same; and by ways of Force and Power to raise
 “ Moneys upon the Subjects of this Kingdom. And
 “ for the Encouragement of his Majesty to hearken

“ to

“ to his Advice, he did before his Majesty and his
“ Privy-Council, then sitting in Council, make a
“ large Declaration, that he would serve his Majesty
“ in any other way, in case the Parliament should
“ not supply him.

“ XXII. That before the Beginning of the last
“ Parliament, the said Earl of *Strafford* went into
“ *Ireland*, and procured the Parliament of that King-
“ dom to declare their Assistance in a War against
“ the *Scots*, and gave Directions for the raising of
“ an Army there, consisting of Eight Thousand
“ Foot, and One Thousand Horse, being for the
“ most part *Papists*, as aforesaid. And confedera-
“ ting with one Sir *George Ratcliffe*, did together
“ with him traiterously conspire to employ the said
“ Army, for the Ruin and Destruction of the King-
“ dom of *England*, and of altering and subverting
“ of the fundamental Laws, and established Govern-
“ ment of that Kingdom.

“ Shortly after, the said Earl returned into *Eng-*
“ *land*, and to sundry Persons declared his Opinion to
“ be, That his Majesty should first try the Parlia-
“ ment here, and if that did not supply him accord-
“ ing to his Occasions, he might use then his Pre-
“ rogative as he pleased, to levy what he needed;
“ and that he should be acquitted both of God and
“ Man, if he took some other Courses to supply him
“ self, tho’ it were against the Wills of his Subjects.

“ XXIII. That upon the Thirteenth Day of *April*
“ last, the Parliament of *England* met, and the Com-
“ mons House did enter into Debate and Consider-
“ ation of the Grievances of this Kingdom, he the
“ said Earl of *Strafford*, and the Archbishop of *Can-*
“ *terbury*, did procure his Majesty by sundry Speech-
“ es and Messages, to urge the said Commons
“ House, to enter into some Resolution for his Ma-
“ jesty’s Supply, for Maintenance of his War a-
“ gainst his Subjects of *Scotland*, before any Course
“ taken for the Relief of the Grievances wherewith
“ this Kingdom was then afflicted; whereupon a

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“ Demand was then made from his Majesty of
 “ Twelve Subsidies, for the Release of *Ship-Money*
 “ only. And while the said Commons were in De-
 “ bate and Consideration concerning some Supply,
 “ before any Resolution by them made, he the said
 “ Earl of *Strafford*, with the Help and Assistance of
 “ the said Archbishop, did procure his Majesty to
 “ dissolve the said Parliament; and upon the same
 “ Day, the said Earl did endeavour to incense his
 “ Majesty against his Subjects, who had been
 “ Members of the said House of Commons, by
 “ telling his Majesty they had denied to supply him;
 “ and afterwards upon the same Day, did advise his
 “ Majesty to this effect, That having tryed the Af-
 “ fections of his People, he was loose and absolved
 “ from all Rules of Government; and that he was
 “ to do every thing that Power would admit; and
 “ that his Majesty had tried all ways, and was re-
 “ fused, and should be acquitted toward God and
 “ Man; and that he had an Army in *Ireland*, which
 “ he might employ to reduce this Kingdom.

“ XXIV. That in the same Month of *May*, he
 “ declared before others of his Majesty’s Privy-
 “ Council, That the Parliament of *England* had for-
 “ faken the King, and that in denying to supply the
 “ King, they had given him advantage to supply
 “ himself by other ways; and that he was not to
 “ suffer himself to be mastered by the Frowardness
 “ and Undutifulness of the People.

“ And having so maliciously slandered the said
 “ late House of Commons, he did, with the Help
 “ and Advice of the said Archbishop of *Canterbury*,
 “ and the Lord *Finch*, late Lord-Keeper of the Great-
 “ Seal of *England*, cause to be printed and published
 “ in his Majesty’s Name, a false and scandalous
 “ Book, full of bitter and malicious Invectives,
 “ entitled, *His Majesty’s Declaration of the Causes that*
 “ *moved him to dissolve the last Parliament.*

“ XXV. That not long after he the said Earl of
“ *Strafford* did advise the King to go on vigorously
“ in levying the *Ship-Money*, and did procure the
“ Sheriffs of several Counties to be sent for, for not
“ levying the *Ship-Money*, divers of which were
“ threatned by him, to be sued in the *Star-Cham-*
“ *ber*.

“ And a great Loan of One Hundred Thousand
“ Pounds was demanded of the City of *London*, and
“ the Lord-Mayor, and Sheriffs, and Aldermen of
“ the said City, were often sent for by his Advice to
“ the Council-Table, and required to certify the
“ Names of such Inhabitants of the City as were
“ fit to lend ; which they with much Humility re-
“ fusing to do, he the said Earl of *Strafford* did use
“ these and the like Speeches, *viz.* That they de-
“ served to be put to Fine and Ransom ; and that
“ no good would be done with them, till an Exam-
“ ple were made of them , and that they were laid
“ by the Heels, and some of the Aldermen hanged
“ up.

“ XXVI. That the said Earl having brought his
“ Majesty into excessive Charge, without any just
“ Cause, did counsel and approve the two following
“ dangerous and wicked Projects, *viz.*

“ To seize upon the Bullion, and the Money in
“ the Mint: And to imbase his Majesty's Coin, with
“ the Mixtures of Brasse.

“ And accordingly he procured One Hundred
“ and Thirty Thousand Pounds, which was then in
“ the Mint, and belonging to divers Merchants,
“ Strangers and others to be seized on, and stayed
“ to his Majesty's Use. And when divers Mer-
“ chants of *London*, Owners of the said Bullion and
“ Money, came to his House, to let him understand
“ the great Mischief that Course would produce here
“ and in other Parts ; he the said Earl told them,
“ That the City of *London* dealt undutifully and un-
“ thankfully with his Majesty ; and that they were
“ more

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“ more ready to help the Rebels than to help his
 “ Majesty: And that if any hurt came to them they
 “ may thank themselves; and that it was the Course
 “ of other Princes to make use of such Moneys to
 “ serve their Occasions.

“ And when the Officers of his Majesty's Mint
 “ came to him, and gave him divers Reasons against
 “ the imbasing the said Money; he told them that
 “ the *French* King did use to send Commissioners of
 “ Horse, with Commission to search into Mens
 “ Estates, and to peruse their Accounts, that so
 “ they may know what to levy of them by force,
 “ which they did accordingly levy; and turning
 “ to the Lord *Cottington* then present, said, That
 “ this was a Point worthy of his Lordship's Consi-
 “ deration.

“ XXVII. That he was made Lieutenant-General
 “ of all his Majesty's Forces in the *North*; and being
 “ at *York*, did, by his own Authority, impose a
 “ Tax on his Majesty's Subjects in the County of
 “ *York* of Eight-pence *per diem*, for Maintenance of
 “ every Soldier of the Train'd-bands of that County;
 “ wick Sums of Money he caused to be levied by
 “ force. And to compel his Majesty's Subjects out
 “ of fear to pay the same; he did declare, that he
 “ would commit them that refused the Payment
 “ thereof; and they that refused it, were in very
 “ little better Condition than of High-Treason.

“ XXVIII. That being Lieutenant-General of his
 “ Majesty's Army, he did not provide for the De-
 “ fence of the Town of *Newcastle* as he ought to
 “ have done, but suffered the same to be lost, that
 “ so he might the more incense the *English* against
 “ the *Scots*.

“ And for the same purpose he did write to the
 “ Lord *Conway*, the General of the Horse, that
 “ he should fight with the *Scottish* Army at the
 “ Passage over the *Tyne*, whatsoever should fol-
 “ low; notwithstanding that the said Lord *Con-*

“ way

" way had formerly by Letters informed the said
 " Earl, that his Majesty's Army, then under his
 " Command, was not of Force sufficient to en-
 " counter the Scots."

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The Parliament of Ireland was no sooner in-
 formed that the Earl of *Strafford* was in the *Tower*,
 but they sent a Committee of both *Houses* to Eng-
 land, to lay before the Parliament *Remonstrances*
 concerning the *Grievances* the *Irish* endured, under
 that Lord's Administration. But as these *Remon-*
strances contained hardly any thing but what is in
 the Twenty-eight Articles above, I do not think it
 necessary to insert them here.

Commit-
 tee from
 the Par-
 liament of
 Ireland to
 complain
 of the Earl
 of Straf-
 ford.
 Rush. IV.
 p. 220.

This Process was not ready to be judged till
 the 22d of *March* 1640--1, and lasted till the
 12th of *April*. It would be too long-winded a
 Work to give a particular Account of the Proofs,
 Depositions of Evidences, Answer of the Party
 accused upon each Article, and Replies of the
Commons. To give a general Idea of the Thing,
 it will suffice to say in two words, that the Im-
 peachment running wholly upon the Earl of *Straf-*
ford's pretended Intention to subvert the fundamen-
 tal Laws of the Kingdom, the greatest Part of
 the Crimes he was accused of could not be account-
 ed as Crimes of High-Treason but on Supposition of
 this same Intention. And therefore the Mana-
 gers * insisted upon every one of the Articles in
 order to prove this Intention, maintaining that
 though each of them by it self was not capable of
 proving it, they were however all together a De-
 monstration of the same. But besides, that each of
 these Articles was not equally well proved, it re-
 mained

Reasons
 for and
 against the
 Earl.

* George Lord Digby, John Hambden, John Pym, Oliver St. John, Sir Walter Earle, Jeoffery Palmer, John Mainard, John Glyn. Rush. VIII. p. 40. The Earl of Arundel was Lord-High-Steward upon this Occasion.

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maintained also to decide, whether the Intention could render a Man guilty of Treason. The Council for the Earl of *Strafford* maintained that although by the Law, the bare Intention of killing the King was High-Treason, it did not follow that the Intention could be considered upon the same Foot, with respect to other kinds of Treason, on which the Law had not decided in the same manner. On the other Hand, the Earl of *Strafford* showed that none of the particular Crimes he was charged with, could be deemed Treason, and that a Hundred *Felonies* could never make one Treasonable Crime. But this Dispute concerned only the Nature of the Offence, in which the Accused had a great Advantage, especially if it be considered that in *England*, in Criminal Cases, the Judges are exceeding careful not to mistake, and to attend only to what proves directly the Nature of the Offence contained in the Indictment. If the *Commons* had been satisfied with accusing the Earl of *Strafford* of *Felony*, or Misdemeanours, very probably they would have obtained a speedy Sentence against him. But having solely impeached him of High-Treason, it was the Business of the Peers to condemn or acquit him solely upon that sort of Crime. In the Reign of *Edward VI*, the Duke of *Somerset* was accused of High-Treason and Felony. He was acquitted from the first, but condemned for the last.

As to the rest, the Earl of *Strafford* defended himself with all the Ability, Presence of Mind, Judgment and Temper that could be expected from a Person of his Parts *. So the *Commons* easily found that

* *Welwood* observes, that he expressed in his Defense such nervous and moving Flights of Eloquence, as came nothing short of the most celebrated Pieces of Antiquity. This appeared from his summing up his long Answer *extempore*, with this pathetick Conclusion: *My Lords, I have troubled you longer than I should have done, were it not for the Interest of these dear Pledges, a Saint in Heaven has left me.* —

At this he stopped, pointing to his Children that stood by him, and dropt some Tears, then went on.

What

that the Lords would very hardly be brought to condemn him. And therefore they thought fit to take another Course to attain their Ends.

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The 19th of *April* it was voted by the *Commons*, that the Endeavour of the Earl of *Strafford* to subvert the Fundamental Laws of the Realms of *England* and *Ireland*, and to introduce an Arbitrary and Tyrannical Government in both those Kingdoms, was *High-Treason*. Two Days after a *Bill of Attainder* was brought in against the Earl. The *Bill* was read twice in the Morning, and the third Time in the Afternoon, and passed with the Majority of 204 against 59, after which it was sent up to the Lords.

Votes of the Commons
Rush. IV.
p. 224,
225.

Among the Opposers of the *Bill*, the Lord *Digby* distinguished himself by a very eloquent Speech, wherein he endeavoured to show, that the condemning the Earl of *Strafford* in that manner was a down-right Murder *. Great Exceptions were taken at this Speech, and though the *House* seemed at first not

Bill of Attainder
passed and sent up to the Lords.

The Lord Digby's Speech against the Bill.
Rush. IV.
p. 225.

to

What I forfeit for my self is nothing, but that my Indiscretion should extend to my Posterity, wounds me to the very Soul. You will pardon my Infirmary; something I should have added, but am not able, therefore let it pass. And now, my Lords, for my self I have been by the Blessing of God, taught that the Afflictions of this present Life, are not to be compared to that eternal weight of Glory which shall be revealed hereafter. And so my Lords, even so, with all Tranquillity of Mind I freely submit my self to your Judgment, and whether that Judgment be Life or Death, Te Deum Laudamus, p. 46.

* The Lord *Digby* in his Speech has these Words: — “ I am still the same in my Opinions and Affections as to the Earl of *Strafford*; I confidently believe him to be the most dangerous Minister, the most insupportable to free Subjects that can be characterized. I believe his Practises in themselves as high, as tyrannical, as any Subject ever ventured upon, and the Malignity of them hugely aggravated by those rare Abilities of his, whereof God has given him the use, but the Devil the Application. In a Word, I believe him still that grand Apostate to the Commonwealth, who must not expect to be pardoned in this World till he be dispatched to the other: And yet let me tell you, Mr. Speaker, my Hand must not be to that Dispatch.” Thus far a Nobleman, who for his Zeal to the Royal Cause, became the most obnoxious to the Parliament. *Rush. IV, p. 226.*

The

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to take much notice of it, they ordered afterwards that it should be publickly burnt by the Hangman.

Petition against the Earl.

St. John's Speech for the Bill.

The *Bill of Attainder* had not presently the Effect the *Commons* wished. The Lords were in no haste to examine it, or to answer the Impatience of the *Commons*. They had a mind first to weigh Arguments for and against the *Bill*. In this Interval it was that the Peers caused Sir *William Balfour* to be examined concerning the Project of letting the Earl of *Strafford* escape. Several Thousands * of Inhabitants of *London* presented to both Houses a Petition against the Earl, saying he was sworn Enemy of the City. The 28th of *April* Mr. *St. John*, in the Name of the *Commons*, made a long Speech to the Lords to prove that the *Bill of Attainder* was not contrary to Law. May the 1st, the King came to the Parliament, and made the following Speech to both Houses.

My LORDS,

The King's Speech in Favour of the Earl of Strafford. Rush. IV. p. 239.

“ I Had not any Intention to have spoken to you
“ of this Business this Day, which is the great
“ Business of the Earl of *Strafford*, because I would
“ do nothing that might serve to hinder your Occa-
“ sions: But now it comes so to pass, that seeing of
“ Necessity I must have part in the Judgment, I
“ think it most necessary for me to declare my Con-
“ science therein. I am sure you all know, that I
“ have been present at the hearing of this great
“ Case, from the one end to the other *; and I
“ must

The Reason it seems of his being against the *Bill of Attainder*, was, because he believed the Earl's advising the King to bring over the Army from Ireland to reduce this Kingdom, did refer to the Kingdom of Scotland, and not to England, the Thing then under Debate, being how to reduce Scotland.

* 20,000 says *Rushworth*, all Men of good Rank and Quality.

At the Tryal there was a Chair and Cloth of State for the King, on either side whereof was a close Gallery for the King, Queen, and Prince to be private. In this Place his Majesty remained all the Time of the Tryal.

“ must tell you, That I cannot in my Conscience
 “ condemn him of High-Treason ; it is not fit for
 “ me to argue the Business ; I am sure you will not
 “ expect that, *A positive Doctrine best becomes the*
 “ *Mouth of a Prince* : Yet I must tell you three
 “ great Truths, which I am sure no Body knows so
 “ well as my self. 1. That I never had any Intention
 “ of bringing over the *Irish* Army into *England* ;
 “ nor ever was advised by any Body so to do. 2.
 “ That there was never any Debate before me, nei-
 “ ther in publick Council, nor at private Committee,
 “ of the Disloyalty of my *English* Subjects, nor ever
 “ had I any Suspicion of them. 3. I was never
 “ counselled by any to alter the least of any of the
 “ Laws of *England*, much less to alter all the Laws.
 “ Nay, I must tell you this, I think no Body durst
 “ ever be so impudent to move me in it ; for if
 “ they had, I should have put such a Mark upon
 “ them, and made them such an Example, that all
 “ Posterity should know my Intentions by it ; for
 “ my Intention was ever to govern according to
 “ Law, and no otherwise (a).

“ I desire to be rightly understood. I told you in
 “ my Conscience I cannot condemn him of High-
 “ Treason ; yet I cannot say I can clear him of
 “ Misdemeanours : Therefore I hope you may find
 “ a way to satisfy Justice, and your own Fears, and
 “ not press upon my Conscience. *My Lords*, I hope
 “ you know what a tender Thing CONSCIENCE
 “ is : Yet I must declare unto you, That to satisfy
 “ my People I would do great Matters : But this of
 “ Conscience, no Fear, no Respect whatsoever,
 “ shall ever make me go against it. Certainly I
 “ have not so ill deserved of the Parliament at this
 “ Time, that they should press me in this tender
 “ Point ; and therefore I cannot expect that you will
 “ go about it.

“ Nay,

(a) It is very hard to reconcile this Assertion of the King's with his Government the first fifteen Years of his Reign.

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“ Nay, I must confess for Matters of Misdemeanours, I am so clear in that, that though I will not chalk out the way, yet let me tell you, That I do think my Lord *Strafford* is not fit hereafter to serve me, or the Commonwealth, in any Place of Trust, no, not so much as that of a Constable. Therefore I leave it to you, my Lords, to find some such way as may bring me out of this great Streight, and keep our selves, and the Kingdom from such great Inconveniencies; certainly he that thinks him guilty of High-Treason in his Conscience may condemn him of Misdemeanours. ”

This Speech has a quite different Effect to the King's Intention.

This Speech had a quite different Effect to what the King expected. So the Earl of *Clarendon* hints, that the Lord *Say* advised the King to it, in order to draw him into a Snare, and render the Earl of *Strafford's* Ruin more certain *. The *Commons* were highly offended with it, saying, it was an unprecedented Thing, that the King should meddle with *Bills* before they were presented to him, and that it was a Means to take away the Freedom of Votes, and immediately adjourned till *Monday*, the 3d of *May*.

The Lords pass the Bill of Attainder.

On that Day it was that the Rabble of *London* flocked together at *Westminster*. And on the same Day the House of *Commons* drew up the *Protestation* before-mentioned, and on the Morrow, the 4th of *May*, the Lords approved of the same, and passed the *Bill of Attainder* against the Earl of *Strafford*, there being not above Forty-six Lords in the House, of the Fourscore who had constantly been present at the

* When *Strafford* was told with Joy by his Friends, that the King had made a warm Speech in his Favour to both Houses, he received it as his Doom, and told them, *The King's Kindness had ruined him, and that he had little else to do but to prepare himself for Death.* Welwood's Memoirs, p. 46.

the Tryal *. It is pretended that such as absented themselves, were terrified by the Threats of the Populace.

The King was then in the worst of Conditions. He loved the Earl of *Strafford*, and was convinced the Earl had done nothing but what was conformable to his Intentions, and the Maxims he would have introduced into the Government. He might be guilty with regard to the People on many Accounts, but certainly he was not so with respect to the King, who had always approved of his Conduct. Besides, the King had protested in full Parliament that he could not, nor would not do any Thing against his Conscience, and he did not believe in his Conscience that the Earl was guilty. On the other Hand, if he consented to the *Bill of Attainder*, after having declared it was against his Conscience, he would show that he was reduced to this Extremity by the Necessity of his Affairs, so would not be thanked for it, and for the Time to come would have nothing more to deny his Parliament. But if he rejected the *Bill*, he plainly perceived the Consequences his Refusal might be attended with, and that at least he should be accused of denying his People Justice, contrary to the Advice of both *Houses* of Parliament.

It is not unlikely that in this Extremity some one advised the King to dissolve the Parliament. At least the *Commons* imagined there was no other way to free himself from the Perplexity he was under. And therefore to take from him this Refuge also, the same Day, the 4th of *May*, they ordered the bringing in of a *Bill* for the Continuance of the present Parliament, that it might not be dissolved without the Con-

The Continuance-Bill passed by the Lords. Ryth. IV. p. 251.

* The Lord *Clarendon* says, of the Forty-six, eleven only dissented. Vol. I. p. 256. *Whitlock* says, there were but Forty-five, of whom Twenty-six voted the Earl guilty of High Treason, upon the 15th Article, *For levying Money in Ireland by Force, in a warlike manner.* And upon the 19th Article, *For imposing an Oath upon the Subjects in Ireland.* *Whit. Mem. p. 43.*

1641. sent of both *Houses*, which *Bill* was read thrice in two Days, and passed three Days after in the *Upper-House*, together with the *Bill of Attainder* against the Earl of *Strafford*. In these two or three Days space, the *Commons* vigorously pushed the Business of the Conspiracy, as has been said, to fill the People with Fears, and force the Lords to pass the two *Bills* on that account.

Consultations of the King about the Bill of Attainder.

Clarendon. I. P. 257.

Letter from Strafford to the King. Russell. IV. P. 251. Nalson, II. P. 190.

The *Bill of Attainder* having passed the *House* of Lords, the King called his Privy-Council together, and sent for his Lawyers. He laid before them his Scruples, and the Reasons which ought to hinder him from giving his Consent to the *Bill*. But *Juxon* Bishop of *London* was the only Person that ventured to advise the King to reject a *Bill* presented to him by both *Houses*. All the rest used their utmost Endeavours to persuade him to satisfy his People, and that the Life of any one Person ought not to be put in the Ballance with the Safety of the Kingdom. As to his Scruples, they told him that he might consult his Bishops, who would give him the best Advice. The King not meeting with the Satisfaction he expected from his Council, sent for some Bishops to advise with. It is affirmed, that *Neil* Archbishop of *York* said to him on this Occasion, “ That there was “ a *Private* and a *Publick* Conscience ; that his publick Conscience as a King, might not only dispense with, but oblige him to do that which was “ against his private Conscience as a Man. ” And so in plain Terms advised him, “ even for Conscience sake to pass the Act. ” But what helped the most to determine him, was a Letter from the Earl of *Strafford*, who hearing the Streights the King was in, humbly besought him himself to pass the *Bill*, to remove him out of the way towards a blessed Agreement, which he doubted not God would for ever establish betwixt him and his Subjects. Adding, That his Consent would more acquit his Majesty therein to God, than all the World could do besides : To a willing Man there is

no Injury. At last the King no longer able to withstand the pressing Instances of the Parliament and his own Counsellors, or rather the Fear of the Calamities he foresaw might befall both himself and Posterity if he refused to consent to the *Bill*, signed a Commission to three * Lords to pass it in his Name *1. By the same Commission he empowered the same Lords to give the Royal Assent to the *Bill* for the Continuance of the Parliament, which was of much greater Importance for him than the Earl of *Strafford's* Life, but which however it does not appear that he much minded, so full was he of the other. This *Bill*, which was of such Consequence to the King, was brought in the 6th of *May*, and in five Days space it passed in both *Houses*, and received the King's Approbation, as if it had been but a Trifle.

*The King
passes the
two Bills.*

Rush. IV.
p. 259.

On the 12th of *May*, the second Day after the Royal Assent to the *Bill of Attainder*, the Earl of *Strafford* was executed, and suffered Death with great Constancy and Resolution. It was then, and is now a Subject of Dispute, whether he deserved to lose his Head or not. They who are for him, say, that the bare examining of the Articles of Accusation, the Evidences produced against him, and his Answers, is enough to convince a Man that he was not guilty of High-Treason. That of this the Conviction of his Accusers themselves is a farther Proof, who perceiving they could not expect from the Lords a Sentence according to their Wish, made use of so many

*The Earl of
Strafford
beheaded.*

*Reasons for
and a-
gainst him.*

* To the Lord *Privy-Seal*, Lord *Great Chamberlain*, Lord *Steward*, or any two of them. *Rapin* by mistake says to four Lords.

*1 Notwithstanding his Letter to the King, when his Majesty sent Secretary *Carleton* to the Earl, to acquaint him with what was done, and the Motives of it, the Earl seriously asked the Secretary whether his Majesty had passed the *Bill* or not? As not believing, without some Astonishment, that the King would have done it. And being again assured that it was past, he rose from his Chair, lift up his Eyes to Heaven, laid his Hand on his Heart, and said, *Put not your Trust in Princes, nor in the Sons of Men, for in them there is no Salvation.* Whitlock's Memoirs, p. 44.

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extraordinary Means to compass their Ends. First, the Change of the Judicial Accusation into a *Bill of Attainder*. Secondly, the tumultuous Concourse of the People. Thirdly, the Discovery made to the *House of Commons* of the pretended Conspiracy, precisely at this Juncture, though it had lain dormant a long while. In the fourth Place, the *Protestation*, the sole Design whereof was to terrify the People, and stir them up against the King and his Party. Lastly, the Violence done to the Lords to extort their Consent to the *Bill*, and which obliged great Numbers to absent themselves, to avoid being exposed to the Fury of the People. It is pretended all these Things are a clear Evidence that the *Commons* themselves did not believe him guilty, since they used so many Artifices to take away his Life.

They who are against him, say, It cannot be denied, that the King had formed a Design to establish an Arbitrary Government, and assumed to himself a Power contrary to Law. That he had made choice of such Ministers and Counsellors as he thought most proper to serve him in the Execution of his Design. That from the King's Council had proceeded all the Oppressions the People had so long complained of, and consequently the King's Ministers and Counsellors could not be innocent, unless a Man would deny these Oppressions which were as clear as the Sun. That no Body was ignorant that the Earl of *Strafford* was the Chief of these Ministers, and the Person in whom the King put the greatest Confidence, and that he held the first Place in the secret Council, called the *Junto*, consisting of four or five Persons only, where all the Resolutions were taken for the Oppression of the Subjects. That it could not be supposed he was against all these Resolutions, since his attaining to so high a degree of Favour, was entirely owing to his Attachment to the King's Will. That it was no less evident, that in his three great Posts of Privy-Counsellor, President of the *North*, and Lord-Deputy of *Ireland*, he had always carried himself

himself conformably to the King's Principles and Maxims, though he knew that these same Principles were contrary to the Law. That all his Endeavours tended to increase the King's Revenues, and enlarge his Prerogative, by all sorts of Methods, even the most irregular. That in *England*, Obedience to the King's Orders does not excuse the Ministers in illegal Matters. That therefore a Man must either deny that the King ever did any Thing contrary to Law, or confess, that his Ministers, and especially the Chief, were not innocent of these Violations. That the *Commons* Accusation did not run so much upon each particular Article, as upon all together, to show that the Earl of *Strafford* actually intended to set up an Arbitrary Government. That every one of the Articles was a Proof of this Intention, and it was a Delusion to represent them as being each apart a separate Charge of some particular Crime. That this Intention, joined to the manner of exercising the Power the King had intrusted him with, was an unpardonable Crime, since it tended to subvert all the Laws, and alter the Constitution of the Government. That it was not the same with the Intention of subverting the Laws, as with the Intention of committing any other Crime, even Treason. That these last, when committed, may be punished by the Laws: But if the Intention of subverting the Laws be not punishable till put in Execution, there is no Remedy, abolished Laws being no longer of any Use. That upon these Grounds Parliaments had all along punished several Ministers for this same Reason. In short, that an Example being necessary to deter Ministers for the future from devoting themselves so entirely to the King's Will, to oppress the Subject, there could not be a fitter for that purpose than the Earl of *Strafford*, whose Power had made all the World tremble, and who besides was the Object of the public Hatred, the whole Nation looking upon him as the Chief Author of their Miseries.

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I shall add here, in order to finish what relates to the Earl of *Strafford*, that not long after his Death*, this same Parliament passed an *Act* for restoring his Children in Blood and Honour, and for settling his Estate upon his Heirs, and that the *Act of Attainder* was repealed in the Reign of *Charles II.* I do not believe that ever any *English* Subject has had so many Praises bestowed upon him as the Earl of *Strafford*. Several in speaking of him, have not been able to forbear adding always to his Name some honourable Epithet, to shew their Esteem for him. In a Word, he is represented as one of the greatest Men, one of the most accomplished Ministers *England* ever produced. I do not pretend by any Means to question his natural or acquired Abilities. But I own that when I consider his Life and Actions, I do not see what can serve for Foundation to such high Encomiums. In the first Place, after he was in Favour, the King had no Quarrel with any foreign State. So he had no Opportunity to display his Talents in Negotiations and Embassies. As to War, he was employed but once, in the late War with *Scotland*, in quality of Lieutenant-General, commanding the Army in the Absence of the General. On this Occasion it may be said, he committed a very great Error, in not being in a readiness to hinder the *Scots* from passing the *Tine*, and in suffering them to take *Newcastle*, if perhaps he did it not on purpose to engage inevitably the two Nations in a War, which certainly can be Matter of no great Commendation. It must then be owned that his Talents were confined within the Limits of his Posts or Offices. As to that I find he was accused of having prevaricated, and entirely devoted himself to promote the King's Design of setting up an Arbitrary Government. Suppose this were a Slander, and he had never any such Thought, I do not see however that his being innocent on that account can be Matter of Praise to him,

any

* The Bill was brought in *June* the 12th this Year. *Russ.* IV. p. 284.

any more than to many others who had been in the same Posts before him. What did he do then in the Administration of his Offices, that deserves the Character of an accomplished Minister, and the Name of a great Man, which is generally given him? If it is said, that he made use of his great Talents to serve the King faithfully and promote his Designs, which doubtless is the sole Foundation of the Commendations bestowed on him, it is to be feared abundance of People will not allow either that he ought to have served the King in that manner, or that he did him any real Service, as the Event has shown. The great Praises therefore given to the Earl of *Strafford* must be considered only as a visible Mark of the Principles of those who bestow them, and who perhaps are very sorry he succeeded no better.

The Death of the Earl of *Strafford* was a great Mortification to the King, but it was not the only one. After the *Commons* had made this Trial of their Strength, they resolved to compleat the Reformation of the Government, which till now they had but entered upon. The King on his part endeavoured, though in vain, to cool the great Ardour of the *Commons*, by granting or promising Places to such as were most acceptable to them. He had made Sir *Edward Littleton* Lord-Keeper, in the Room of the Lord *Finch*, who was forced to fly. For the same Reason Dr. *Juxon* Bishop of *London* resigned his Treasurer's Staff, which was to be given to the Earl of *Bedford*. But the Earl died whilst he was earnestly labouring to procure an Accommodation between the King and *Commons*. *Saint-John*, a Leading-Man in the *House of Commons*, had been made Solicitor-General. The Lord *Cottington* was to surrender the Office of Chancellor of the *Exchequer* in favour of Mr. *Pym*, and the Place of Master of the *Wards* in favour of the Lord *Say*. The Office of Secretary of State which *Windebank* had held, was designed for *Denzil Hollis*. The Earl of *Effex*, the Lord *Kimbolton* and Mr. *Hambden*, were likewise to have Places. But

The King tries in vain to pacify the Commons. Clarend.I. p. 211.

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the Earl of *Bedford's* Death put an end to most of these Projects. The King ceased not however after the Death of the Earl of *Strafford* to gratify the *Commons*, by making the Earl of *Essex* Lord High-Chamberlain, having first removed the Earl of *Pembroke*; for the Earl of *Essex* was a great Favourite of the *Commons*. But all this begot not the great Alterations the King expected. The Wound was too deep to be cured by such Lenitives.

The Parliament's Aim.

The general Aim of the Parliament was, not only to redress past *Grievances*, but also to free the Kingdom from the Fear of being exposed to the like Calamities in time to come. The King, on the contrary imagined, that by giving or promising good Places to the Leaders of the opposite Party, he should stop their Mouths and render them *dumb Dogs*. But they were too wise to fall into the Snare. They were very sensible that these same Places which the King gave or offered to give them, would be always at his Disposal, and that when the Motive of his giving them should cease, it would be ever in his Power to turn them out. Besides, many of them were too conscientious to sacrifice the Good of their Country to their private Interest. This Disposition of the Leaders manifestly appeared, in that the King's Favours were not able to cause them to relinquish the Project they had formed, so great was their Distrust towards him. They could not believe that a Prince, who had so openly discovered a Design to establish an arbitrary Government, should have changed on a sudden his Principles and Maxims. Nay, what he did in their Favour, convinced them of the Necessity of sticking firmly to their Project, plainly perceiving his Aim was to divide them.

The Parliament's great Distrust with respect to the King.

This Project consisted, as I said, first, in redressing all the *Grievances*; Secondly, in taking Measures to prevent the King from returning to his former Courses. This they laboured to effect with great Diligence, after the Earl of *Strafford's* Death. Hitherto, they had only prepared Matters by *Votes*, which

which plainly showed their Design, and by the *Protestation* which both *Houses* had subscribed. But they expected to meet in the *House* of Peers, with Obstacles so much the greater, as the King had a strong Party there.

The *House* of Peers consisted of One Hundred and Twenty Lords, the Two Archbishops, and Twenty-four Bishops. Among the first, the two Princes, *Charles* and *James*, the Duke of *Buckingham*, and Seven or Eight others were under Age; and there were some, whose Age, or Infirmities, or Affairs, hindered them from being present in this Parliament. The Archbishop of *Canterbury*, the Lord *Finch*, the Earl of *Strafford*, were not there at the time I am speaking of: So that the Bishops would have made a Fifth Part of the *House*, had it been complete. But, as the Lord *Clarendon* says, there was not above Fourscore and Six Peers at the Earl of *Strafford's* Tryal, we may reckon there was a Third Part absent; and as on the other Hand, there were vacant *Sees*, we cannot be much out in counting that the Bishops and *Popish* Lords made about a quarter Part of the *Upper-House*. As they were all devoted to the King, it is no hard matter to perceive, they rendered the King's Party very strong among the Lords. This was the Reason which obliged the *Commons* to use their utmost Endeavours to take away their Votes in Parliament. Most of them had now made themselves odious by promoting the King's Design with all their Power, and persecuting the *Puritans*, and they still continued to obstruct the Design of redressing Grievances, by the Number of their *Votes* in the *House* of Peers.

Observation on the House of Peers.

Political Reasons for the Exclusion of the Bishops.

This was the Reason made use of by the Heads of the *Presbyterians*, who had more secret and farther Views to induce such Members of the Church of *England* as were against the King, to sacrifice the Bishops Privilege of sitting in Parliament. They hinted to them, that as long as the King had so many Votes in the *Upper-House*, it would be almost impossible

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ble to set about to any purpose the Redress of Grievances. That after all, the depriving of the Bishops of this Privilege would be so far from being detrimental to Religion, that it would be rather for its Advantage, since thereby they would be more attached to their Spiritual Functions. That it would be no less beneficial to the State, since it would deprive the King of a Means he had always used with Success, to break the Parliament's Measures.

*Difference
between
the Puri-
tans.*

The Party against the King in the Parliament, consisted in truth of *Puritans*; but there were two sorts, as I said before. Some were true *Presbyterians*. Others were *State-Puritans*; that is to say, Persons whom the Court had all along considered as *Puritans*; not that they were not sincere Friends to the Church of *England*, but because their Maxims concerning Civil Government were thought to be founded upon *Puritan-Principles*. These two sorts of *Puritans* had been equally oppressed the First Fifteen Years of this Reign, as well by the Court as by the *Clergy*, so that the *Hierarchy* was become very odious to the one, and very suspicious to the other. The true *Presbyterians* earnestly longed for the utter Extirpation of Episcopacy. The other *Puritans* were extremely incensed against the Bishops and the rest of the *Clergy*, who had all along supported and countenanced the King's Designs. Wherefore they were easily persuaded that it would be doing the State a great piece of Service, to clip the Wings of the *Clergy*, to the End they might not be so useful to the King. Besides, though *Church-of-England-Men*, they were not of the Opinion of those who believed that Religion could not subsist without Bishops, and that Episcopacy was so closely united with the Monarchy, that one could not be abolished without the Downfall of the other. So far was the *Hierarchy* from giving them any Uneasiness, that they would have been very willing to preserve it, provided it could have been managed so, that the *Clergy* should be confined to their Spiritual Functions. But they could hardly bear

bear to see the *Clergy* invested with a secular Power, which they made an ill use of. It must be further added, that being thus disposed, they saw the *Presbyterians*, who were pretty numerous in the Kingdom, and supported by the *Scots*, strenuously insist upon taking away the *Bishops Votes* in the *House of Lords*. It was a dangerous thing to displease them, for a very good Reason. For though the *Presbyterians* affected to speak of the State only, it was well known that Religion was the principal Thing they had in view, and that what they did with regard to the Civil Government, was only to hinder the King from being able to oppress them, if he remained too powerful. Had the King therefore tried to gain the *Presbyterians* by offering them reasonable Terms, they might have chanced to accept them, and relinquish the Design of reforming the Civil Government, and then the *State-Puritans* would have been left to the King's Mercy. Union between the *Puritans* was therefore absolutely necessary. For after all, it was no less hazardous for the *Presbyterians*, that the King should close with the *State-Puritans*, in which case they would have infallibly abandoned the *Presbyterians*.

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Both these Parties then stood in great need of each other, and it was their Interest to support one another, for fear the King should take advantage of their Division. But he could never bring himself either to the least Condescension for the *Presbyterian* Party, or to please the *Politicians*. By that, himself helped to form a very strict Union between these two Parties, who became but one. The *Politicians* chose rather, out of Complaisance to the *Presbyterians*, to sacrifice the *Bishops Privilege*, than be exposed to the Danger of seeing themselves again liable to an arbitrary Government.

The King
helps to
unite the
Puritans.

According to these Dispositions, and the consequent Resolutions, the *House of Commons* equally set about the Redress of Grievances, and the Execu-

The Com-
mons la-
bour to ex-
clude the
Bishops
and redress
Grievan-
ces.

tion

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tion of the Design against the Bishops. Thus the Affairs of Church and State went Hand in Hand, insomuch that scarce a Day passed but the *Commons* gave the King some Mortification, one while by passing *Bills* or *Votes* against whatever the King had done, another while by prosecuting the Authors of the Grievances or Innovations, sometimes by storming against the Conspiracy before-mentioned, and sometimes by increasing the Yoke of the *Papists*.

All this tended to the End proposed by the Party against the King. It was taken for granted as a thing publickly known, that there had been a settled Design to introduce Popery, and that some of the Bishops had a hand in the Plot. Thus, by accusing the *Papists* of having ill Designs, and by prosecuting them rigorously, the Accusation was made in some measure to fall on the Bishops and *Clergy*. It was pretended that the Innovations introduced into the *Divine Service*, was a Consequence of this Design, and for that reason, by condemning them, the *Clergy*, who had countenanced them, were rendered odious to the People. The Accusations against particular Persons who had been most forward to support these Innovations, produced also the same Effect. In short, nothing was omitted that could contribute to let the People see the Necessity of restoring the Government to its natural State, and to convince them that the Ecclesiastical *Hierarchy* was more prejudicial than necessary to the Church and State. With these two Things the *Commons* were taken up for the Space of three Months, from the Death of the Earl of *Strafford* to the King's Journey to *Scotland*.

First, with respect to the State, in this Interval it was that *Bills* were brought in to abolish the *Star-Chamber* and *Court of York*, to regulate the Council-Table, to abolish *Ship-Money*, and prevent vexatious Proceedings touching the Order of *Knighthood*, against illegal Imprisonments, and for ascertaining the Bounds and Limits of *Forests*. Each Judge in parti-

cular

cular was accused: the Tax imposed by the King on the *Shires* for the Wages of the Muster-Master, was declared to be contrary to Law. The Conspiracy to seduce the Army was likewise examined, and *Wilmot*, *Asburnham* and *Pollard* were expelled the *House*, and committed to Prison. All the *Patents* for Monopolies, of which the greatest Part were suppressed, were brought before the *House*. It was examined by what means a certain Clause had been inserted in the *Petition of Right*, concerning *Tonnage* and *Poundage*, and care was taken to register a Declaration on that Subject, to hinder Posterity from being deceived by that surreptitious Clause. I pass over in silence several *Votes* which followed from all these Articles, or which had relation to particular ones.

As to Religion, besides what was done with respect to the *Papists*, and of which I have already spoken, the *Commons* declared to be illegal the Oath by which Ministers were bound to maintain the *Hierarchy* in the Church. A *Bill* was brought in against *Pluralists*. The *Canons* made by the late *Convocation* were condemned. A *Bill* was passed to abolish the *High-Commission*. The Suppression of *Deans* and *Chapters* was voted. *Matthew Wren* Bishop of *Ely* was impeached. It was ordered that the *Protestation* should be subscribed by the whole Nation. An Accusation was brought to the Lords against Thirteen Bishops, who had assisted at the *Convocation*.

*Proceed-
ings of the
Commons
as to Reli-
gion.*

I have but just touched upon these Articles, because a particular Account of each seemed to me needless. I shall only add, that there was some difference between the two *Houses* concerning the *Protestation*. The Lords would have left every Man at liberty to sign it; but did not think proper to use Compulsion. The *Commons*, on the contrary, looked upon the *Protestation* as a *Shibboleth*, to distinguish the *Ephramites*, and at last the Lords agreed to what the *Commons* desired.

*Difference
between
the two
Houses a-
bout the
Protestati-
on.*

1641.
The Com-
mons ex-
plain a
Clause in
the Protes-
tation.
Rush. IV.
p. 273.
Nelson II.
p. 241.
Clarend. I.
p. 253.

One of the Articles of the *Protestation* affording room for Disputes, the *Commons* took occasion to explain more fully that Article which was thus worded: *I swear to defend the true reformed Protestant Religion, expressed in the Doctrine of the Church of England, against all Popery and Popish Innovations contrary to the same Doctrine.* Some Persons sticking to the first Part of this Clause, pretended, that there was no other Scheme of the Doctrine of the Church of *England* than the *Thirty-nine Articles* drawn up in the Reign of *Elizabeth*, of which one is, *to preserve the Government of the Church by Archbishops, Bishops, Deans, &c.* Hence they inferred, that by the *Protestation* Men were bound to maintain Episcopacy. But the *Commons* considering the whole Clause together as contained in the *Protestation*, declared, "That by these words was and is meant only the publick *Doctrine* professed in the said Church, so far as it is opposite to *Popery* and *Popish* Innovations; and that the said Words are not to be extended to the maintaining of any Form of Worship, Discipline or Government, nor of any Rites or Ceremonies of the said Church of *England.*" This clearly showed what their Intention was with regard to the *Hierarchy*.

Another
Difference
concerning
the Star-
chamber.

There was also another Dispute between the two Houses touching the *Star-Chamber*. The Lords were very willing to agree it should be reformed, but refused to consent to its Abolition. Mean while, the *Commons* vigorously supporting the *Bill* they had sent up to the Peers, it was passed at last, and the King gave his Assent the 5th of July.

In this same Interval, I mean, from the Death of the Earl of *Strafford*, to the King's Journey to *Scotland*, some other things passed of which it is necessary to say a word.

The Custo-
mers offer
150000 l.
which is
accepted.
Rush IV.
p. 277.

The *Customers*, who had collected the Duties imposed on Merchants Goods by the King's sole Authority without Consent of Parliament, finding they ran the Risk of being fallen upon, offered of their own

own accord One Hundred and Fifty Thousand Pounds for an Act of Oblivion, and their Offer was accepted.*

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The Lord Digby, Son of the Earl of Bristol, and Member of the House of Commons, was called by Writ to sit in the House of Lords the 10th of June (a)*. In the Beginning of this Parliament, he had distinguished himself by his Zeal for the Redress of Grievances: but his Speech against the Bill of Attainder of the Earl of Strafford, made him forfeit the Goodwill of the Commons; whether the King had already gained him, or whether he went over to his Party on that Occasion, his Majesty thought proper to screen him from the Resentment of the Commons, by calling him to the House of Peers. We shall see him hereafter the King's chief Minister and Counsellor, great Enemy to the Commons, as they on their Part never forgave his Defection.

The Lord Digby is called to the House of Peers. Rush. IV. p. 283.

The Irish Army should have been long since disbanded, seeing there was no occasion to keep it on foot, and the Commons had frequently desired the same of the King. Nevertheless, this Army subsisted the last, though the Commons had taken care for their Payment. When they came to be disbanded, the King acquainted both Houses that the King of Spain having desired to take this Army into his Service, and intimated the same by his Ambassador, he had promised to send him Four Thousand Men. The Lords made no scruple to agree to the King's Engagement. But the Commons, ever full of Fears and Suspicions, thought not proper that the King should

The King has a mind to give Spain part of the Irish Army.

The Commons are against it. Rush. IV.

p. 381.

* This Petition was delivered to the House by the great Farmers of Tonnage and Poundage, namely, Sir Paul Pindar, Sir Abraham Daws, Sir John Worstenholm, and Sir John Jacob. The petty Customers had the Liberty likewise to come in upon Composition, and then have the Benefit of the Act of Oblivion. *Nelson II. p. 256.*

(a) The King called the Lord Digby to the House of Lords at the time the Commons expelled him their House, *Nelson II. p. 275.*

* His Writ was dated the 9th, and he was voted out of the House the 10th. Upon his coming to the House of Lords, he was added to all the standing Committees. *Ibid.*

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keep these Troops in the King of *Spain's* Name, who would make them serve in the *Low-Countries*, from whence the King might draw them whenever he pleased. Besides, the *French* Ambassador had desired the rest of the Army for his Master, to which the King had also consented. They thought it was an Artifice of the King's to keep this *Popish* Army which was devoted to him, and on which he could much better rely than on that of *England*. Wherefore they prayed the King to call in his Word. They had on this Occasion several Conferences with the Lords, where they alledged sundry Reasons to support their Opinion, without expressing the true one: but it was easily guessed at. The King was much displeased with the *Commons* Opposition, whether he thought himself bound in Honour to keep his Promise, or really intended to preserve this Army, by lending it to the Kings of *France* and *Spain*, in order to use it himself in case of necessity. What gives ground to suspect he had formed such a Project is, that it does not appear the Kings of *France* and *Spain* had then any great Occasion for these Troops. Be this as it will, the King, without minding the *Commons* Opposition, showed that his Intention was to stand to his Promise, and this Affair was not over when the King set out for *Scotland*. Some time after he sent a Message to the Lords dated at *Edinburgh*, wherein he appeared resolved to stand to his Engagement let what would happen. But the two *Houses* found means to render his Resolution fruitless, by publishing an *Ordinance*, declaring that whoever should assist in transporting these *Irish* Troops into any foreign Country, should be deemed an Enemy to the State. This *Ordinance* broke all the King's Measures, not one Owner of Ships caring to run the Hazard of inevitable Ruin for his sake.

The King will stand to his Word.
Nelson II.
p. 457.

Ordinance against transporting Forces into foreign Parts.
Sept. 9.
Nelson II.
p. 481.

The King resolves to grant every thing to the Scots.

The King, as I said before, expected that the Parliament would grant him an Aid capable of enabling him to drive the *Scots* out of the Kingdom. It was not long before he perceived his Error, and clearly

saw

saw that the *Scots* were come into *England* at the Solicitation of the *English* Male-contents, and that these Male-contents were the very Persons who had most Credit and Authority in the two *Houses*. He judged therefore, that instead of thinking any longer of chasing out the *Scots* by Arms, he should rather endeavour to agree with them, that he might separate their Interest from that of the *English*, and enduce them to disband their Army, which was always ready to support the Parliament. When therefore the Commissioners of the two Kingdoms met at *London* to continue the *Rippon-Treaty*, they found no Resistance from the King, who by granting the *Scots* first Demand, plainly showed he was disposed to refuse them nothing. This Demand was, that the King should cause to be published in his Name, the *Acts* of the Parliament of *Scotland*, as well those which were already passed in the first Session, as those which should be passed in the Second. So great a Condescension with regard to this Point, which had been properly the Cause of the second War, made the *Commons* sensible that the King's Aim was to get rid as soon as possible of the *Scotish* Army, which to him was an Incumbrance, but to them was very necessary for the Execution of their Projects. And therefore as the *Scotch* Commissioners had a good Understanding with the *Commons*, they managed it so that the Negotiation of Peace was spun out till the 7th of *August* 1641, though the King by granting whatever was required of him, removed all Difficulties as far as lay in his Power.

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His Reason
for so do-
ing.

At last, the Negotiation being about to end, and nothing more wanted to conclude the Treaty, but to agree upon some Articles of little Moment, the King permitted the Parliament of *Scotland* to meet, and promised to be there in Person, to pass such *Acts* as should be judged requisite. The *Commons* having Knowledge of the King's Resolution, entertained some Suspicion of this Journey, and were apprehensive that the King's Design was to go and put himself

The King
promises to
go into
Scotland.The Com-
mons are
jealous of
this Jour-
ney.

1541. at the Head of his Army in the North, under Colour
They move to have the King defer his Journey. of going to *Scotland*. They desired therefore a Con-
Rush. IV. p. 361. ference with the Lords, and moved that the Armies
 might be disbanded before the King's Departure,
 and that both *Houses* should present a Petition to the
 King, to pray him to defer his Journey. They
 backed their Motion with several Arguments, and
 among the rest with this, that it was necessary to pre-
 vent the Suspicions of the People, and the Designs
 some Persons might have to make use of the Army
 to raise Disturbances in the Kingdom. That besides,
 several *Bills* were sent up to the Lords and not yet
 passed. That others were now under Consideration
 in the *Lower-House*, and it was necessary the King
 should give his Assent to them, before he took his
 Journey to *Scotland* *. In short, after divers Confe-
 rences, it was resolved with the King's Consent, that
 he should put off his Departure till the 10th of *Aug-*
The King sets out for Scotland. *ust*, and that the two Armies should be disbanded
 by that Time. Nevertheless, as the *English* Army
 could not be entirely disbanded before the King be-
 gan his Journey for want of Money, the *Commons*
 desired a farther Delay for a Fortnight, alledging
 still the People's Jealousies. But the Lords refused
 to concur with them, and the King set forward the
 10th of *August*, as had been agreed.

The Parliament sends a Committee into Scotland to watch the King.
Rush. IV. p. 375. The *Commons* distrust with regard to the King still
 subsisting, they desired the Concurrence of the Peers,
 that a Committee of Lords and Commoners might be
 sent to the Parliament of *Scotland* to remain there,
 and inform them from Time to Time of their Pro-
 ceedings, to which the Lords consented. The Per-
 sons named to go Commissioners into *Scotland*, were
 the Earl of *Bedford*, the Lord *Howard of Escrick*,
Nathaniel

* There were four Reasons delivered to Mr. *Hollis* to move the
 King to stay his Journey into *Scotland*. The Third of which is
 that referred to here by our Author, namely, *The Distempers and*
Jealousies of the Kingdom are such, that they cannot be composed by
passing some Acts, unless his Majesty stay the desired Time. Which
 Words do not seem to imply so much as our Author expresses
Rush. IV. p. 361.

Natbaniel Fiennes, *Sir William Armyne*, *Sir Philip Stapleton*, and *John Hambden*, and a Draught of a Commission was sent by an Express to the King to sign. But the King refused it, because he saw no Necessity for any such Thing. He consented however, that the Committee should come and attend him in *Scotland*, to see the Ratification of the Treaty. As the Committee were properly designed only for Spies upon the King's Actions, both *Houses* thought fit to send them into *Scotland*, on some other Pretense: But the Earl of *Bedford* did not go on this Service.

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Ibid.
376.

Some Days after the *House of Commons* came to several Resolutions, against the Monopoly of Soap, which was declared to be illegal. Moreover they voted that the Sentence in the *Star-Chamber* against certain Soap-Boilers of *London*, should be reversed, and the Judges of that Court who had given their Votes in the Sentence should pay the Parties Costs and Damages. It was ordered also that Inquiry should be made what Members of the Privy-Council had given their Consent to the illegal Orders made at the Council-Table, about the Soap-Monopoly.

Votes &
gainst the
Monopoly
of Soap.
Ibid.
378, 379.

As the *Commons* had undertaken to redress all Grievances, That of the City of *London*, concerning the Plantation of *Londonderry* had likewise its Turn, whilst the King was in *Scotland*. The *House* passed several Votes upon this Subject, and declared illegal all the Proceedings of the *Star-Chamber*, reversed the Sentence against the City of *London*, as unjust and given by incompetent Judges. They declared that when the King should be pleased to repay to the City the Money he had received, he should be restored to the same State he was in before, and the *Patent* thereupon granted should be cancelled or surrendered.

Votes &
bout the
Plantation
of Lon-
donderry.
Nelson. II.
p. 461.
Ruth. IV.
p. 379.

After that, both *Houses* resolved to adjourn from the 9th of *September*, to the 20th of *October*, that the Members might go to their Homes, from whence they had been absent ten Months. As soon as this Resolution was taken, a great Number of both *Houses* went into the Country to gain a little more Time to

Resolve of
both Hou-
ses to ad-
journ for
some Time.

1641.

Debate about the Liturgy.
Rush. IV. p. 385.
Nelson, II. p. 481.
Votes against Innovations.
Rush. IV. p. 385.
Votes of the Lords about the Liturgy.
Nelson, II. p. 483.]

rest themselves. So that there were not left above Twenty-two Lords in the *Upper*, and a Hundred and fifteen Members in the *Lower-House*. Then some one, who was doubtless *Presbyterian*, willing to make the most of so fair an Opportunity, moved that it was necessary to make some Alterations in the *Common-Prayer-Book*. This Motion occasioned a very hot Debate. Mr. *Hide*, afterwards Earl of *Clarendon*, strenuously defended the *Liturgy*, insomuch that contrary to the Expectation of the Person who had started the Debate nothing came of it.

But some Days after, the Business of the *Innovations* in the Church was debated, and the *House* passed several *Votes*, declaring that certain Innovations ought to be abolished. At the same Time, the Lords seeing that in the *Lower-House*, the Authentickness of the *Common-Prayer-Book* was called in question, voted, that it should be observed as before, in all the Churches without any Omission or Alteration. This begot a Conference between both *Houses*, wherein the *Commons* desired the Lords to consent to the following Declaration, and join with them in the Publication thereof.

DECLARATION of September 8. 1641.

The Commons Declaration concerning Innovations.
Rush. IV. p. 386.

WHereas divers Innovations, in or about the Worship of God, have been lately practised within this Kingdom, by enjoining some Things, and prohibiting others without Warrant of Law, to the great Grievance and Discontent of his Majesty's Subjects. For the Suppression of such Innovations, and for Preservation of the publick Peace, it is this Day ordered by the Commons in Parliament Assembled, That the Church-Wardens of every Parish-Church and Chapel respectively, do forthwith remove the Communion-Table from the East-end of the Church, Chapel, or Chancel, into some other convenient

nient Place, and that they take away the Rails, and level the Chancels as heretofore they were before the late Innovations.

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That all Crucifixes, scandalous Pictures of any one or more Persons of the Trinity, and all Images of the Virgin Mary shall be taken away and abolished; and that all Tapers, Candlesticks, and Basons, be removed from the Communion-Table.

That all corporal Bowing at the Name of Jesus, towards the East-end of the Church, Chapel, or Chancel, or towards the Communion-Table, be henceforth forborn.

That the Orders aforesaid be observed in all the several Cathedral Churches of this Kingdom, and all the Collegiate Churches or Chapels in the two Universities, or any other part of the Kingdom; and in the Temple-Church, and the Chapels of the other Inns of Court, by the Deans of the said Cathedral Churches, by the Vice-Chancellor of the said Universities, and by the Heads and Governours of the said Colleges and Halls aforesaid, and by the Benchers and Readers in the said Inns of Court respectively.

That the Lord's Day shall be duly observed and sanctified: All Dancing, or other Sports, either before or after Divine Service be forborn and restrained; and that the Preaching of God's Word be permitted in the Afternoon, in the several Churches and Chapels of this Kingdom, and that the Ministers and Preachers be encouraged thereunto.

That in Case these Orders be not observed, Complaints thereof shall be delivered in Parliament before the 30th of October next.

The Lords regarded not the Desire of the Commons. But on the Morrow, September the 9th, the Day appointed for the Adjournment, they communicated to the Commons, in a Conference, an Order dated January the 16th 1640-1, enjoining that Divine Service should be performed without any Alteration, as appointed by Act of Parliament, and a Confirmation of the same Order, pursuant to a Resolution taken

The Lords renew their Order of the 16th of January concerning Divine Service. Rush. IV. p. 387.

1641. on the present 9th of *September*, desiring the *Commons* to concur with them in the publishing thereof.

The Commons refuse their Concurrency.

Ibid.

Declaration of the Commons without the Lords Concurrency.
Sept. 9.

Remarks on these Differences

The *Commons* flatly refused to join in the Publication of this Order, not thinking it proper at such a Juncture, to press the rigorous Observance of the Laws touching *Divine Service*, since a great part of the People called for a Reformation therein. Besides, they knew this last Order, which confirmed that of the 16th of *January*, was made at a Time when there was but twenty Lords in the *House*, and by a Majority of two Voices only, eleven against nine. Then they drew up a Declaration, inserting that of the Day before, to which the Lords had returned no Answer, with the Order of the Peers of the 16th of *January*, and the Confirmation of the same of the 9th of *September*, with the refusal of the *Commons* to concur with them, and ordered that their Declaration should be printed and published.

I imagine it will not be amiss to remark, on account of this Dissention between the two *Houses*, first, that Passion reigned on both Sides, seeing the Time of making these two Motions was by no means proper, there not being above the fifth Part of the Members present in each of the two *Houses*.

Secondly, That there was a great Difference between the two Points in Question, with respect to their Importance. One concerned the Preservation of the publick Worship, and Book of *Common-Prayer*, appointed by the Laws after the Reformation, but wherein however many People ardently wished great Alterations might be made, nay, desired they might be entirely suppressed, whilst the rest of the Nation believed them to be absolutely necessary. This was a Matter of so great Moment, that one would think nothing should be decided *Pro* or *Con*, but upon mature Deliberation, and at a Time when both *Houses* should have their usual Number of Members. For this Reason, if the Motion for making Alterations in the *Liturgy* had been approved in the *Lower-House*, doubtless the Lords would have justly opposed it and refused

refused their Concurrence. But on the other Hand, as the *Commons* had taken no Resolution thereupon, there does not seem to have been any Necessity for the Lords to renew their Order of the 16th of *January*, which remained in force, and wanted not this Confirmation. Nay, it appeared that this Order was renewed only out of Spleen, because the *Commons* had made a Declaration against Innovations. Had the Lords been satisfied with refusing their Consent to the *Commons* Declaration of the 8th of *September*, there would have been nothing to object. But by refusing to return any Answer to the *Commons*, and renewing withal their Order of the 16th of *January*, they discovered that they acted out of Spleen and Revenge, and it was not doubted but the Bishops were the chief Authors of the renewing of this Order.

The second Point, which concerned the Innovations, was not of the same Importance. The Business was only to know, whether they were really Innovations; and if so, whether they were illegal or dangerous to Religion. But this was a Thing not to be debated in such a Juncture, when both *Houses* were just going to be adjourned, and most of the Members already gone into the Country. So the Lords might have refused their Consent to the *Votes* of the *Commons*, though it had been only on pretense of the fewness of the Members then in both *Houses*. But by returning no answer to the *Commons*, they showed in some Measure that they approved of these Innovations which had so long been the occasion of Complaints and Murmurs in the Kingdom.

The same Day, before the Adjournment, the *Commons* appointed a Committee of Forty-three * to take Care during the Recess, of the most weighty and urgent Affairs. The Lords appointed a Committee also consisting but of seven Peers, which done, both *Houses* adjourned to the 20th of *October*.

Both Houses appoint Committees during the Recess.

M 4

During

* *Rushworth* Names Forty-seven. IV. p. 387.

1641.
*Notice of a
 Conspiracy
 in Scot-
 land.*
 Nalson, II.
 p. 488.
 Rush. IV.
 p. 390.

During the Recess, the Committee which had followed the King into *Scotland*, sent Word to the Committee of the *House of Commons*, that there was a sort of Conspiracy in *Scotland*, and that the Aim of the Parties concerned seemed to be, to interrupt the Proceedings of the Parliament of that Kingdom, and put to Death the Marquiss of *Hamilton*, the Earl of *Argyle*, and the Earl of *Lanerick*. As the Committee received this Notice but two Days before the meeting of the Parliament, they only ordered the Lord-Mayor of *London* to place convenient Guards in several Places of the City, fearing that the Conspirators of *Scotland* might have Friends in *England*, to disturb at the same Time the Peace of the Kingdom,

The Parliament being met on the 20th of *October*, Mr. *Pym* made a Report to the *House* of what the Committee had done during the Recess. Whereupon the *Commons* desired a Conference with the Lords, where they represented to them :

*Report of
 the Com-
 mittee.*
 Nalson,
 Ibid.
 Rush. IV.
 p. 388.

“ 1. That a Letter from the Committee in *Scot-*
 “ *land*, gave Ground to think, that when there was
 “ a Design, somewhat of the same Nature in *Eng-*
 “ *land*, to seduce the King’s Army, and interrupt
 “ the Parliament, that there was the like Design at
 “ that Time in *Scotland*.

*Conference
 about the
 Conspiracy
 in Scot-
 land.*

“ 2. That the principal Party named in that De-
 “ sign in *Scotland*, the Lord *Crawford*, is a Person
 “ suspected to be popishly affected ; and therefore
 “ may have Correspondence with the like Party in
 “ *England*.

“ 3. That it has been lately published in *England*,
 “ that some Things were to be done in *Scotland* be-
 “ fore it broke out there. Therefore we may sus-
 “ pect some *Correspondence* here.

Upon these Grounds the *Commons* propounded to the Lords, that a strong Guard should be kept in the Cities of *London* and *Westminster*, and Care taken for the Defense of the whole Kingdom ; and that an
 Express

Express Messenger be sent to the Committee of both House in Scotland, to acquaint them that the Parliament of England was ready to give the Scots all necessary Assistance against those who should disturb the Peace.

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The Lords approving of these Proposals, Instructions were sent to the Committee agreeable to what the Commons had wished. Rush. IV. P. 390.

The same Day, the 20th of October, both Houses desired the Earl of Essex, whom the King had made General on the South of the Trent, to place a Guard at Westminster for the Security of the Parliament, which he did accordingly. This *Scotish* Conspiracy made a great Noise at that Time: But it was not possible to come at the Bottom of it. See what Mr. Burnet says of it in his Memoirs of the Dukes of Hamilton. The Parliament desire a Guard of the Earl of Essex. p. 186.

“ A Gentleman, not known to the Marquis of Hamilton, brought him and the Earl of Argyle the Discovery of a Plot; which, he said, was laid for their Lives, and the Life of the Earl of Lanerick; which he said he could justify by one Witness that was invited to the Execution of it: He told also a long formal Story of the Persons to be Actors, and of the Time, Place, and Manner; And said it was to be executed that very Night. This the Marquis carried to the King, without naming the Particulars; but by the Law of Scotland, since he had but one Witness to prove the Design, it was not sufficient: The King desired him to examine the Thing to the Bottom, and bring him what further Evidence he could find: In the Evening other Presumptions were brought to the Marquis, but no clear Proof: However, the Matter had taken Wind, and was got in every Body's Mouth, so that all who depended on these Lords, came about them in great Numbers: And those on whom the Design was fastned, gave out, it was a Forgery to make them odious, and gathered also together: Account of the pretended Conspiracy in Scotland.

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“ ther. The Marquiss hearing this, did not stir out
 “ of Doors, lest some of their too officious Fol-
 “ lowers should raise Tumults ; and next Day in
 “ the Evening, he with the Earl of *Argyle*, and his
 “ Brother the Earl of *Lanerick*, and half a dozen
 “ Servants went out of Town to his House of
 “ *Keneel*, twelve Miles from *Edinburgh*, and sent his
 “ Excuse to his Majesty, with an Account of the
 “ Reasons. Upon this many Discourses were raised,
 “ People of all Sides passing Constrution as they
 “ were affected : But the Parliament took the Mat-
 “ ter into Consideration, before whom those that
 “ had given the Information owned what they had
 “ said, and those on whom the Plot was charged,
 “ did as positively deny all ; so that no clear Proof
 “ being brought, the Parliament could come to no
 “ other Decision, but that the Lords had good Rea-
 “ son to withdraw themselves ; and so they were in-
 “ vited to return to their Place in Parliament.

Remark on
 this Con-
 spiracy.
 Clarend.II
 p. 298.

We see however in the Lord *Clarendon's* History a Particular which may give some Light to this Af-
 fair. The Earl of *Montrofs* told the King, that the
 Marquiss of *Hamilton* was false to him, and even of-
 fered to rid him of this secret Enemy ; but the King
 abhorred the Expedient. Perhaps the Earl of *Mon-
 trofs* thought he should do the King a Pleasure in
 having the Marquiss assassinated, and mentioning it
 to some Person, the Thing took Air. However this
 be, the *Commons* of *England* it seems, were extreme-
 ly jealous of the King, or at least they did their ut-
 most to inspire the People with Distrust. For their
 Fear was grounded but upon very slight Presump-
 tions, and a bare possibility that this pretended Plot
 against three *Scotch* Lords, could have any Influence
 in *England*.

Complaint
 to the
 Com-
 mons con-
 cerning the
 Non-Ob-
 servance of
 their De-
 claration.
 Rusb. IV.
 p. 393.

The next Day a Complaint was made to the *Com-
 mons* against some Persons for not obeying the Decla-
 ration of the 9th of *September*, published by Order
 of the House. As this Affair was debated with great
 Warmth,

Warmth, Sir *Edward Deering* made a Speech, which I think proper to insert here, to show that it was not without Ground that the *Commons* were accused of exceeding their Power, in publishing their Declaration, without obtaining the Concurrence of the Lords.

1641.

Mr. Speaker,

“ IT is very true (as is instanced unto you) that your late Order and Declaration of the 8th and 9th of *September*, are much debated and disputed abroad ; perhaps it may be a good Occasion for us to re-dispute them here.

“ The Intent of your Order to me seems doubtful, and therefore I am bold, for my own Instruction, to propound Two Queries.

Sir Edward Deering's Speech.
Rulh. IV. p. 392.
Nelson V. II. p. 610.

“ 1. How far an Order of this House is binding?
“ 2. Whether this particular Order be continuant, or expired ?

“ Your Orders (I am out of doubt) are powerful, if they be grounded upon the Laws of the Land : Upon that Warrantry we may by an Order, enforce any thing that is undoubtedly so grounded, and by the same Rule we may abrogate whatsoever is introduced contrary to the undoubted Foundation of our Laws. But, Sir, this Order is of another Nature, another Temper, especially in one part of it, of which (in particular) at some other Time.

“ Sir, There want not some *Abroad*, Men of Birth, Quality and Fortune, such as know the *Strength of our Votes* here as well as some of us, (I speak my own Infirmities) Men of the best Worth, and of good Assistance in us, and no way obnoxious to us : They know they sent us hither as their Trustees, to make and unmake Laws ; they know they did not send us hither to rule and govern them by arbitrary, revokable and disputable Orders,

“ especially

1641. “ especially in Religion. No Time is fit for that,
 “ and this Time as unfit as any : I desire to be in-
 “ structed herein.

“ Mr. Speaker, In the second Place there is a
 “ Question, whether this Order (whereupon the
 “ present Complaint is grounded) be permanent and
 “ binding, or else expired, and by our selves de-
 “ serted? I observe, that the Order being made
 “ the 8th of *September*, in hope then of Concurrence
 “ therein by the Lords ; that failing, you did issue
 “ forth your last Resolution by way of Declaration,
 “ wherein thus you express your self ; *That it may*
 “ *be well hoped, when both Houses shall meet again,*
 “ *that the good Proposition and Preparation in the House*
 “ *of Commons, for preventing the like Grievance, and*
 “ *reforming the Disorders and Abuses in Matters of Re-*
 “ *ligion, may be brought to Perfection ; wherefore you*
 “ *do expect that the Commons of this Realm do in the*
 “ *mean time (what, obey and perform your Order*
 “ *made the Day before? No such thing, but in the*
 “ *mean time) quietly attend the Reformation in-*
 “ *tended.*

“ These are your Words, and this my Doubt
 “ upon them, whether by these Words you have not
 “ superseded your own Order? Sure I am, the
 “ Words do bear this Sense, and good Men may
 “ think and hope it was your Meaning.

“ My humble Motion therefore is this, I beseech
 “ you to declare, that upon this our Reconvention,
 “ your Order of the 8th of *September* is out of Date:
 “ and that the Commons of *England* must (as you
 “ say) *quietly attend the Reformation intended ;* which
 “ certainly is intended to be perfected up into Acts
 “ of Parliament. And in the mean time, that they
 “ must patiently endure the present Laws, until you
 “ can make new, or mend the old.”

*The Com-
 mons car-
 ry on the
 Bill against
 the Bishops.*

The 22d of *October* the *Bill* for disabling Persons
 in *Holy Orders* to exercise Temporal Jurisdiction was
 again debated, and several Speeches made *pro* and *con*.
 At

At length, it was resolved to prosecute the Bishops who had assisted at the late *Convocation*, and to push the *Bill* for excluding the Bishops from their *Votes* in Parliament. To that end, the *House* desired a Conference with the Lords, where Mr. *Pym* and Mr. *St. John* explained the Demands of the *Commons*, with the Reasons to support them. Mr. *Pym* spoke first in this manner :

My LORDS,

“ THE Parliament, the Fountain of Justice, Pym's
 “ ought to be preserved pure from Corruption *Speech be-*
 “ and free from Partiality, which will add not only *fore the*
 “ Lustre, Reputation and Honour, but Authority *Lords a-*
 “ to what is done in Parliament: All Mens Estates *gainst the*
 “ and Liberties are preserved under the Safe-Custody *Bishops.*
 “ of Parliament; this moveth us to be careful of any *Rush. IV.*
 “ thing that may prejudice the Parliament in Point *P. 395.*
 “ of Freedom and Integrity.
 “ Therefore the Knights, Citizens, Burgessees of
 “ the House of Commons, have commanded me,
 “ with my Colleague, to represent unto your Lord-
 “ ships two Propositions, which they hold of very
 “ great Importance and Necessity to be put in Exe-
 “ cution at this Time.

“ First, That those Thirteen Bishops which stand
 “ accused before your Lordships, for making the
 “ late Book of Canons, and putting them in Exe-
 “ cution, may be excluded from their Votes in Par-
 “ liament.

“ Secondly, That all the Bishops may be excluded
 “ from having any Vote in that Act, come from the
 “ House of Commons to your Lordships, entitled,
 “ *An Act to take away the Bishops Votes in Parlia-*
 “ *ment, &c.*

“ That

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“ That which concerneth the Thirteen Bishops
 “ falleth to my Charge to open, as I am commanded
 “ to tell your Lordships, that it standeth not with
 “ Honour and with Justice, that these Bishops should
 “ have Votes, standing thus charged with the Breach
 “ of Trust, and of the highest Trust, against the
 “ Prerogative of the King, and against the Privi-
 “ lege of the Parliament; against the Property of
 “ the Subject, and against the Peace of the King-
 “ dom; these are the Jewels that are deposed under
 “ the Trust and Safe-guard of Parliament, and all
 “ these have been broken; and this appeareth by the
 “ making the new Canons voted by your Lordships
 “ to be against all these Trusts.

“ That these Persons have been Parties to the
 “ Breach of this Trust, that will appear by the
 “ Journals of the Convocation, which is now in the
 “ Country, and may be sent for; the Entry of the
 “ Book is, That all the Thirteen Bishops were Par-
 “ ties, and did confirm and subscribe these Canons;
 “ therefore it is hoped by these Canons, that those
 “ who have assumed to themselves a Legislative
 “ Power, whereby they have, as much as in them
 “ lies, rooted out the Foundation of Parliament, that
 “ they should have no Interest in the Legislative
 “ Power at all in Parliament.

“ Next, that those who have deprived the Subjects
 “ of those good Laws that are already made for
 “ them, that they should have no Interest or Part of
 “ making future Laws for the Subject; this they
 “ conceive standeth with a great deal of Equity and
 “ Justice, which is one Reason to desire they should
 “ be excluded from their Votes in Parliament.

“ Next is, the Heinousness of their Offence. It is
 “ very fit they should be innocent Men, and faithful
 “ Men, that should have the Exercise of so great a
 “ thing as it is; much less then should they be *Delin-*
 “ *quents* of so high a Nature, Actors in the sub-
 “ verting of the Laws of the Realm, that they
 “ should continue their Votes and Places in Parlia-
 ment:

"ment: And that their Delinquency may the better
 "appear, you are desired to read the Votes passed
 "in the House of Commons, (*Nulla Contradicente*)
 "and with which the Lords have concurred and
 "agreed."

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Then the *Votes* touching the making of the said
 Canons herein before recited, were read by Mr.
Goodwin.

*And then Mr. Solicitor St. Johns proceeded to this
 Effect:*

"That he was in the next Place to present some
 "Reasons and Precedents concerning the Bishops
 "not having their Votes touching the Bill, entitled,
 "*An Act to take away the Bishops Votes in Parlia-*
 "*ment, &c.*

"1. Because they have no such inherent Right and
 "Liberty of being there, as the Lords Temporal,
 "and Peers of the Realm have; for they are not there
 "Representative of any Body else; No, not of the
 "Clergy; for if so, then the Clergy were twice re-
 "presented by them, *viz.* in the Lord's-House, and
 "in the Convocation: For their Writ of Election is
 "to send two Clerks, *Ad Consentiendum, &c.* Be-
 "sides, none are there Representative of others, but
 "those that have their Suffrages from others; and
 "therefore only the Clerks in the Convocation do
 "represent them.

"2. They have not the inherent Right of Peer-
 "age as the Lords have, because in some things
 "they cannot do that there, which the Lords may
 "do in case of Treason and matter of Blood. Up-
 "on Tryal of any Peer they have no Liberty of
 "Vote, which could not be taken away by any Ca-
 "non, if their Right of Voting there were inhe-
 "rent.

"3. If they were Representative of the Clergy,
 "as a *Third Estate* and Degree, no Act of Parlia-
 "ment could be good, if they did wholly disassent;
 "and

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“ and yet they have disassented and the Law good
 “ and in force, as in the Act establishing the Book of
 “ *Common-Prayer in Queen Elizabeth's Time*; they
 “ did disassent from the confirming that Law, which
 “ could not have been good, if they had been a
 “ Third Estate and disassented.

“ 4. The King may hold his Parliament without
 “ calling the Bishops at all to it, as hath been ad-
 “ judged by all the Judges of *England*, 7 *Hen. 8.*
 “ occasioned by the Convocations citing one Dr.
 “ *Standish* for speaking of Words against their Power
 “ and Privilege as they conceived: In that case all
 “ the Judges of *England*, in the Presence of the King
 “ declared, that the King might hold his Parliament
 “ without *calling them at all*.

“ So 25 *Edward 1.* In respect the Prelacy would
 “ not agree with the rest of the Kingdom, in grant-
 “ ing a reasonable and necessary Aid and Supply,
 “ they were excluded in the Parliament at *Carlisle*:
 “ And before that Parliament, an Act passed against
 “ several Oppressions of the Abbots, Priors and
 “ Bishops upon the inferior Clergy of the Kingdom,
 “ by Purveyance and setting of high Prizes, &c. to
 “ be collected; and Six or Seven *Acts* more, all to
 “ this purpose concerning the Carriage of the Pre-
 “ lates to the inferior Clergy; so that when them-
 “ selves were concerned, they were excluded their
 “ *Votes*.

“ In all these Records of the Matter concerning
 “ the Clergy, the Entry is, That the King, *habito*
 “ *tractatu*, &c. with the *Earls*, the Barons, and o-
 “ thers the Nobles, &c. hath agreed to this Act, or
 “ *by the Assent of the Earls, Barons, and other Lay-*
 “ *People*: which shews that the Bishops did not con-
 “ sent, for if they had, they should have been first
 “ named before the Earls and Barons: For the Or-
 “ der of naming the Degrees of Nobility in all an-
 “ cient Records, is Prelates, Earls and Barons.

“ Thus

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“ Thus 3 *Richard* 2. there being Provision, the
 “ *Pope* should not make Presentation, &c. it is said,
 “ that the Petition of the Commons was assented to
 “ by the King, and the Lords Temporal, and was
 “ always esteemed a firm Act of Parliament, not-
 “ withstanding the Bishops opposed the same.”

This Affair was carried no farther at that time, *The Bi-*
 doubtless by reason of the Obstacles which occurred in *shops Af-*
 the *Upper-House*, where the Bishops gave their *Voices* *fair re-*
 to decide whether they were to *vote* or not. But it *mains in*
 was reserved for another Time. *suspence.*

One would have thought, that as the *Grievances* *Designs of*
 were almost redressed, the Parliament should have *the King's*
 had little more to do. But the Distrust with regard *Enemies.*
 to the King being exceeding great, the Leaders of the
 opposite Party to the King believed the redressing of
 past Grievances was not sufficient. They had a mind
 also to prevent the like for the future, by putting it
 out of the King's Power to make an ill use of his
 Authority. It can hardly be denied that this Design
 was grounded upon very plausible Reasons, and such
 as were capable of gaining the Consent of those who
 had only the Welfare of their Country in view. For if
 the King, whilst he was invested with all the Preroga-
 tives allowed him by the Laws, had abused his Power
 in order to establish an arbitrary Government; if he
 had pursued the Execution of this Design for fifteen
 Years together; if he had not laid it aside but by a su-
 perior Force which had constrained him to call this
 Parliament, how could one be sure that he would change
 his Principles and Maxims, if he were left in Posses-
 sion of the same Power that had helped him to exe-
 cute his Project? Now there was scarce any of the
 Members of both *Houses*, I say, even of those who
 were most attached to the King, but what were con-
 vinced that the Constitution of the Government had
 been greatly endangered of late Years. See what
 the Lord *Clarendon* says on this Occasion, in his His-
 tory of the Civil Wars:

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Vol. I.
p. 68.
Octav.
Edit.

For the better Support of these extraordinary Ways, and to protect the Agents and Instruments, who must be employed in them, and to discountenance and suppress all bold Enquiries and Opposers, the Council-Table and Star-Chamber enlarge their Jurisdictions to a vast extent. The Council-Table by Proclamations enjoining to the People what was not enjoined by the Law, and prohibiting that which was not prohibited; and the Star-Chamber censuring the Breach and Disobedience to those Proclamations by very great Fines and Imprisonment; so that any disrespect to any Acts of State, or to the Persons of Statesmen, was in no time more penal, and those Foundations of Right, by which Men valued their Security, to the Apprehension and Understanding of Wise-men, never more in danger to be destroyed.

If the Persons most devoted to the King, as was the Earl of Clarendon, had such Sentiments, we may easily judge what others thought, and whether they had reason to believe that the Redress of past Grievances was a sufficient Security for the time to come

But on the other Hand, neither can it be denied, that there were in the Parliament, Men who were brooding secret Designs against the Government of the Church, and that these Men thought the Diminution of the Regal Power was absolutely necessary to the Execution of their Designs, well-knowing the King would ever oppose them, as long as he retained his usual Authority. But it cannot be inferred, because they made use of the Reasons before-mentioned, to inflame the Parliament's Distrusts with regard to the King, for a private End of their own, that therefore these Reasons were bad. On the contrary, we may venture to assert that it was solely by the Weight of these Reasons that the *Presbyterians*, whose Number was inconsiderable in the Parliament and Kingdom, came at last to persuade the rest of the Parliament of the Necessity to restrain the King's-Power. If these Reasons had not been capable of convincing the

the least prejudiced Minds, they would never have succeeded in bringing the Parliament to take the Resolutions that will be seen hereafter. For what Interest could the major Part of the Members of Parliament have to alter the Constitution of Church and State, if the time past had not afforded a just Occasion to fear for the future?

From what I have been saying, there result two *Two opposite Opinions concerning the Designs of the Parliament.* Opinions which have divided and still do divide all England. The first ascribes to the *Commons* in general, and to several Peers the private End designed by the *Presbyterians*. The Followers of this Opinion will not own that the Majority of the Members proposed to themselves a more just and lawful End in whatever they did against the King. Those who embrace the second Opinion, deny likewise this Distinction of Ends and Principles. They pretend that the opposite Party to the King always acted from Motives of Equity, Justice, and Love of their Country. For my part, I shall make no scruple to say, that I take both these Opinions to be very groundless. I can never believe that the greatest Part of the Members of this Parliament, who, by the Confession of the King's Friends themselves, had at first no Desire to make any Alterations in the Constitution of the Church or State, should suffer themselves to be corrupted by a small Number of other Members, whose Views and Designs they were not ignorant of, so far as to be wholly guided by their Directions. Neither can I think that they ran into the Project of subverting Church and State out of Laziness, Ignorance, Stupidity, or that they fell into all the Snares the others were pleased to lay for them, as the Lord *Clarendon* insinuates. I rather believe that they weighed the Reasons which should engage them to maintain the Constitution of Church and State, with the Danger of leaving it in its natural State, and that this Danger to them appeared so great, that in order to prevent it, they resolved to agree to the Alterations intended by the *Presbyterians*.

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On the other Hand, I can as hardly believe that they who took so much care to keep up the Distrust between the King and Parliament, who were always ready to give an ill Turn to all the King's Words and Actions, who instead of healing, irritated the Wound, that these Men, I say, should only have in view Justice and the Good of their Country. Especially as they were seen to practise all sorts of ways to come to their private End, I mean, to a Charge of the Government of the Church, in which the rest of the Parliament had no concern. Nay rather, it would have been their Interest to oppose it, had they not dreaded a greater Mischiefe.

If therefore a Man blindly follows either of these two Opinions, without any Limitation, he will never be able to give a just Notion of this Parliament's Conduct. It is as difficult to believe that a whole Parliament, or at least the greatest Part of the Members, may combine together to subvert the Government of the Church and State, as it is to conceive that all these same Members may have acted only from disinterested Motives, and with the sole View of procuring the Welfare of the State in such a Juncture. This however is the Error into which almost all the *English* Historians are fallen. They have all embraced one or other of these two Opinions, the Spirit of Party not suffering them fairly to consider the several Springs which put the Members of this Parliament a-going, and this is what has begot great Obscurity in all they have said upon this Subject. The truest and best grounded System, in my Opinion, is briefly this:

*The Author's
System.*

The King had given great Occasions of Complaints to his Subjects, during the first Fifteen Years of his Reign. It is no wonder therefore that he had made himself abundance of Enemies, who earnestly wished to have the Government restored to its natural State. Among these Enemies, the *Presbyterians*, who besides the common, had their private *Grievances*, were the most eager. They wanted not only to diminish the King's Power, that he might not be able to hurt them, but

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but also to pull down the Ecclesiastical *Hierarchy*, and set up the *Presbyterian* Government in its Place, in which they were backed by the *Scots*. The King being forced to call this Parliament against his Will, there were few Members but what were bent upon redressing past *Grievances*, and preventing the like for the future. Even they who were not Enemies to the King, were thus resolved, and it may be affirmed, that this was the general Sense of the Members in the Beginning of the Parliament. But even among those who desired the Redress of *Grievances*, there were two different Opinions. Some were for stopping at the Redress of *Grievances* without going any farther, believing that would be sufficient to hinder the King from attempting a second Time an Enterprize which had proved so unsuccessful. This was the King's Sentiments, as well as of many Members of both *Houses*. Others were not only for redressing *Grievances*, but also for taking proper Measures to prevent the like Mischiefs for the time to come. The *Presbyterians* were of this Number: but they had moreover larger Views and more hidden Designs, namely, to introduce *Presbyterianism* into the Church. To compass this End, it was necessary to deprive the King of a Power which they foresaw he would not fail to exert in Opposition to their Design; and there was no better way to do this, than by keeping up and cherishing the Parliament's Distrust, to which the Members for the most part were already but too much inclined. All they had to do then was only to gain a sufficient Number of those who were willing to stop at the Redress of *Grievances*, and nothing was more proper to obtain their Concurrence than to fill them with Fears and Suspicions. This was the Reason that such Care was taken to aggravate the Conspiracy to seduce the Army, to dwell continually upon the pretended Design of bringing them to *London*, to spread a Report that a *French* Army was going to land and seize *Portsmouth*, with the King's Consent, and I know not how many other Rumours equally improbable.

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This was the Cause of so many Endeavours to exclude the Bishops from the *Upper-House*, in order to lessen as much as possible, their Party who were for stopping at the Redress of *Grievances*. This likewise was the Reason that so many Mortifications were given the King, to the end he might be induced to take some Step, which would give his Enemies an Advantage, and be capable of convincing the more sober and moderate, that it was dangerous to leave him in Possession of his whole Power. It is not very strange therefore that many of those who were against carrying Things to Extremities, should suffer themselves in the end to be prevailed upon, by the Fears and Suspicions perpetually suggested to them. To confirm themselves in their Opinion, they had no other Ground than their Trust and Confidence in the King's Word, against which there were unanswerable Objections, as for Instance, the Violation of *the Petition of Right*.

By these direct and indirect Means, the *Presbyterians* at length succeeded in gaining a sufficient Number of Votes to give them a Majority in the House of *Commons*, at least, as to the Design of diminishing the King's Power. When this Party was become uppermost, their Opposers strove in vain to curb their Fury. On the other Hand, the King himself fell into the Snares they laid for him, and took such Steps, that as we shall see hereafter, made him lose a great Number of those who till then had appeared the most moderate. Here is a Passage of the Lord *Clarendon's* History, which will serve to clear this Matter.

Vol. II.
p. 320.

I know not how those Men have already answered it to their own Consciences, who having assumed their Country's Trust, and it may be, with great Earnestness laboured to procure that Trust, by their supine Laziness, Negligence, and Absence were the first Inlets to those Inundations; and so contributed to those Licenses which have overwhelmed us. For by this Means a handful of Men, much inferiour in the beginning, in Number and Interest,

Interest, came to give Laws to the major Part ; and to show that three diligent Persons are really a greater and more significant Number than ten unconcerned, They by Plurality of Voices, in the end, converted or reduced the whole Body to their Opinions. It is true, Men of Activity and Faction in any Design have many Advantages that a composed and settled Council, though industrious enough, usually have not ; and some that Gallant Men cannot give themselves leave to entertain, even for the Prevention of all the Mischiefs the others intend.

1641,

The Earl of Clarendon grants that a handful of Men, at first much inferiour in Number and Credit, converted in the end the whole *House* to their Opinions. But as he was a zealous Stickler for the King, he took Care not to ascribe the Success of this handful of Men, to the Weight and Solidity of the Reasons alledged by the others to reduce them to their Sentiments. It was requisite however to give some Reason of it, and he found no better than the Laziness, Negligence, and Indifference of the King's Friends, and the Vigilance of the others. I do not know whether this Reason will be capable to satisfy the impartial and unbiassed.

This, as I verily believe, is the true System which ought to be laid down, in order to give a clear Idea of the Conduct of this Parliament, and I hope this Digression will not be unserviceable for the better understanding what shall be said hereafter.

The Parliament seemed to have nothing more to do, all the *Grievances* being in a manner redressed, and the Armies disbanded. But after what I have been saying, it will not doubtless be thought strange that the *House of Commons* should order the Committee, which in the beginning of the Parliament was charged to set about a Remonstrance of the State of the Kingdom, to resume and finish that Business. Nothing would have been more needless than such a Remonstrance, after the Grievances were redressed, if it had not been intended on purpose to quarrel with

*The Com-
mons pre-
pare a
Remon-
strance of
the State of
the King-
dom.*

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the King, and afford a Pretense to put off to another Time the settling his Revenues, which was the only Thing that remained to be done and which the King expected. I have said already that there was a Party in the Parliament, who meant not to stop at the redress of Grievances. It was these Men that caused the *Remonstrance* to be resumed, in Expectation the King would be displeased with it, and take some Step that should make way for the Execution of the Project they had formed.

The Irish
Rebellion.
Rulh. IV.
P. 398.

But whilst this *Remonstrance* was preparing, an Affair of such Consequence unexpectedly happened, that the *Commons* were obliged for a Time to lay aside all other Matters. I mean the *Irish* Rebellion, the News whereof came to *London* the 1st of *November* 1641.

Since the End of the Reign of Queen *Elizabeth*, when *Tir-Owen's* Rebellion was happily quelled, the *Irish* had lived in a peaceable manner under the Dominion of *James* I. and *Charles* I. Not but that the Lord Deputies had all along an Eye over them, looking upon them as Men whose Fidelity was very suspected: But at least, they had found no Occasion to complain, that they were worse used than in former Reigns. As to their Religion, it is easy to imagine they had suffered no new Troubles under these two Princes, who thought of nothing less than of persecuting the *Catholicks*. Nevertheless, in the Month of *March* or *April* this Year 1641, the *Irish* formed the Project of casting off the *English* Yoke, of seizing upon all the fortified Places, and of cutting the Throats of all the *English* throughout the whole Kingdom. The Day appointed for putting this bloody Design in Execution was the 23d of *October*, at which Time they were to rise all over the Island. This Design was really executed, as it had been projected, and it is said on that and the following Days above forty Thousand *English* Protestants were massacred by the *Irish*. But the Project of seizing the same Day upon the Castle of *Dublin*, where

was a great Magazine of Provisions and Stores, was discovered the Night before and prevented by the Diligence of the Lords Justices of *Ireland*, who governed in the Absence of the Earl of *Leicester*, who had been appointed Lord-Lieutenant some Months before, and was yet in *England*.

This News being communicated to the *Commons* by the Lords of the Privy-Council, filled the *House* with Consternation and Terror, and at the same Time with Indignation against the Rebels. They immediately turned themselves into a grand Committee, and passed the following Resolves :

That 50,000*l.* shall be forthwith provided for the Service of *Ireland*.

That a Conference be had with the Lords to move them, that a select Committee of the Members of both *Houses* may be appointed to go to the City of *London*, and propose unto them the Loan of that Sum.

*The Votes
of the
Com-
mons a-
bout Ire-
land.
Rush. IV.
p. 404.*

That a select Committee of both *Houses* may be named to consider of the Affairs of *Ireland*, and of the sending of Men and Ammunition from hence into that Kingdom.

That *Owen Conally*, who discovered this great Treason in *Ireland*, shall have 500 *l.* presently paid him, and 200 *l.* per *Annum* Pension, untill Provision be made for an Inheritance of greater Value.

That the Custody of the Isle of *Wight* be taken for the present from the Lord *Weston*, suspected of being a Catholick, and sequestered into another Hand.

That the Persons of *Papists* of Quality in the several Counties of this Kingdom, where ever they reside, may be secured.

That the Lords be desired to join concerning the Dissolution of the House of *Capuchins*, and the speedy sending them away, according to the former Desires of this House.

That

1641.

That the Ambassadors may be sent to from both *Houses* to deliver up such Priests of the King's Subjects as are in their Houses.

That a List be brought in of the Queen's Priests, and other her Servants.

That a Proclamation be issued forth, commanding all Strangers that are not of the Protestant Religion, to deliver in Tickets of their Names, and an Account of their stay here, within two Days after the issuing forth of the said Proclamation, or else to depart the Kingdom forthwith, &c.

Rush. IV.
p. [405]

The Lords agreed to the proposed Loan, and named some of their Members to form a Committee of both *Houses*. Whereupon the *Commons* appointed Fifty-two to meet the Lords, and to be a standing Committee for the Affairs of *Ireland*.

Other
Votes.

Two Days after the *Commons* voted again,

That the *House* holds fit that 200,000 *l.* be forthwith supplied for the present Occasions of *Ireland*.

That a convenient Number of Ships shall be provided for the guarding the Sea-Coast of *Ireland*.

That 6000 Foot, and 2000 Horse shall be raised with all convenient speed for the present Expedition into *Ireland*. And that the Lord-Lieutenant shall present to both *Houses* of Parliament, such Officers as he shall think fit to send into *Ireland*, to command any Forces to be transported thither.

That the Magazines of Victuals shall be forthwith provided at *West-Chester*, to be sent over to *Dublin*, as the Occasions of that Kingdom shall require.

That the Magazines of Arms, Ammunition, Powder, now in *Carlisle*, shall be forthwith sent over to *Knockfergus* in *Ireland*.

That it be referred to the King's Council to consider of some fit way, and to present it to the *House*, for a Publication to be made of Rewards to be given to such as shall do Service in this Expedition into *Ireland*, and for a Pardon of such of the Rebels as shall

shall come in by a Time limited, and of a Sum of Money to be appointed for a Reward of such as shall bring in the Heads of such principal Rebels as shall be nominated.

That Letters shall be forthwith sent to the Justices in *Ireland*, to acquaint them how sensible this *House* is of the Affairs of *Ireland*.

That the Committee of *Irish* Affairs shall consider how, and in what Manner this Kingdom shall make use of the Friendship and Assistance of *Scotland* in the Business of *Ireland*.

That Directions shall be given for the drawing of a *Bill* for the *pressing* of Men, for this particular of *Ireland*.

Some Days after both *Houses* published a Declaration to acquaint the Publick that they had resolved to assist the King with all their Power to reduce the *Irish* Rebels.

The King, who was still in *Scotland*, had received Intelligence of what had passed in the *North* of *Ireland*, by a Letter from the Marquis of *Chichester* from *Belfast*; but he did not know that the *Irish* had miscarried in their Design upon the Castle of *Dublin*. Upon the first notice he imparted the Matter to the Parliament of *Scotland*, and demanded their Assistance. The Parliament replied, that *Ireland* being dependent upon the Crown of *England*, and his Majesty having already writ to the Parliament of *England* on that Subject, and sent to *Ireland* for farther Information, no other Course could be taken, and the rather as the Parliament of *England* might conceive Jealousies; but that after fuller Information, if the *English* should think the Assistance of *Scotland* necessary, they would be ready with their Aid, as soon as *England*.

The Rebellion daily increased. The *English* themselves of the *Pale* joined with the *Irish*, having pretended for some Time to stand by the Interest of *England*. These *English* of the *Pale* were Descendents of

The King demands Aid of the Parliament of Scotland. Their Answer. Nalson, II; p. 604.

Ireland stands in need of a powerful Aid.

1641.

Weak Supplies are sent.

Reason of it.

The Irish pretend to act by the King's Orders.

of the antient Conquerors of *Ireland*, who settled there in the Reign of *Henry II*, and who at the Time of the Reformation continued in the *Roman-Catholic* Religion. It was necessary therefore to send a strong Force into *Ireland* to reduce the Rebels to Obedience. And yet, though the Letters from the Lords Justices for Assistance were frequent and pressing, though the Rebels continually increased in Number and Strength, though the King most earnestly pressed both *Houses* to send Men, Money, and Ammunition to *Ireland*, though the Parliament showed an extreme Desire to reduce that Kingdom, it is certain the Supplies that were sent thither were but small and fitter to keep up than end the War. We should wonder no doubt to see so much Ardour in Words, and so great Backwardness in Deeds, were we not informed of the Reason of this Conduct. And therefore it will be requisite to explain it.

We have seen above how the House of Commons stood affected, whilst the King was in *Scotland*. A Resolution was taken to devest him of part of his Power. The Views of some were only to hinder him from abusing it for the future. Others added to this Motive, the Design of rendering him unable to oppose the Change they were meditating, in regard to the Government of the Church. The Order of the *House* to the Committee to set about the *Remonstrance* of the State of the Kingdom, was a clear Evidence that they had some secret Design which would show it self in due Time. Whilst Measures are taking to put this Design in Execution, the *Irish* rise in Rebellion at a Time when they seemed to have the least Reason, since the Government had never been more gentle to them than in the present Reign. They massacred in cold Blood above forty Thousand *English* Protestants, and unfortunately for the King, they take it in their Heads to spread a Report that they had his Authority for what they did. They called themselves the Queen's Army, and dispersed all over the Kingdom, Copies of a pretend-

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1641.

ed Commission under the Great-Seal, which they pretend to have from the King to authorize them to take Arms. It cannot be denied that all this was capable of making deep Impressions on the Minds of those who were already ill-affected to the King, and believed him capable of any Thing to avoid the Servitude they were preparing for him. Indeed, the Sober and most Considerate did not think it possible, or even probable, that the King should be willing to have his Protestant Subjects of *Ireland* massacred. But they suspected however that this Rebellion, which broke out at such a Juncture, was not wholly owing to the Discontent of the *Irish*, and that it was very possible the King had stirred it up, to find the Parliament Employment, and divert them from the Project they had formed. As to the Massacre of the Protestants, they did not believe the King had any Hand in it, but they imagined it very possible, that after having stirred up the Rebellion, it was not in his Power to restrain the *Irish*. The King on his part, not knowing what was said against him in *England*, used his utmost Endeavours to clear himself from this black Imputation, by pressing the Parliament to send a speedy Aid into *Ireland*. But these Sollicitations had a quite contrary Effect, because it was believed that his Aim was to leave *England* unprovided with Troops, and to engage the Parliament in an *Irish* War, which must have been very expensive. This was the Reason that the *Commons* proceeded with Deliberation, and sent but inconsiderable Succours into *Ireland*, being apprehensive that the *Irish* Rebellion was a Snare laid for them by the King, to cause them to consume the *English* Troops and Money.

As several have spoken of this pretended Commission from the King to the *Papists* of *Ireland* to authorize them to take up Arms, and as some have represented it as true, others, as doubtful, but most as an evident Forgery, I thought it would not be unacceptable to insert it here. I shall add a circular Letter

Orders from the Heads of the Rebels to publish the King's pretended Commission.

1641. Letter sent with the Copy of the pretended Commission from the Leaders of the Rebels, to those of their Party.

*From our Camp at the Newry, this 4th
of November, 1641.*

Phelim O Neal, Rory Mac Guire, &c.

Rush. IV.
p. 400.

To all Catholicks of the *Roman-Party*, both *English* and *Irish*, within the Kingdom of *Ireland*, we wish all Happiness, Freedom of Conscience, and Victory over the *English* Hereticks, who have for a long Time tyrannized over our Bodies, and usurped by Extortion our Estates.

“ **B**E it hereby made known unto you all, our
“ Friends and Countrymen, that the King’s
“ most excellent Majesty, for many great and urgent Causes thereunto moving, reposing Trust
“ and Confidence in our Fidelity, has signified unto
“ us, by his Commission under the Great-Seal of
“ *Scotland*, bearing Date at *Edenburgh* the first Day
“ of this Instant *October* 1641, and also by Letters
“ under his Sign Manual, bearing Date with the said
“ Commission, of divers great and heinous Affronts,
“ that the *English* Protestants, especially the Parliament there, have published against his Royal Person and Prerogative, and also against our Catholic Friends, within the Kingdom of *England*;
“ the Copy of which Commission we have here sent
“ unto you to be published with all speed in all
“ Parts of this Kingdom, that you may be assured
“ of our sufficient Warrant and Authority herein,
“ viz.

CHARLES

1641.
CHARLES by the Grace of God King of England, Scotland, France, and Ireland, Defender of the Faith, &c. To all Catholick Subjects within our Kingdom of Ireland, Greeting. Know you that We, for the Safeguard and Preservation of our Person have been forced to make our Abode and Residence in our Kingdom of Scotland, for a long Season, occasioned by Reason of the obstinate and disobedient Carriage of our Parliament of England against us, who have not only presumed to take upon them the Government, and disposing of those Princely Rights and Prerogatives that have justly descended unto us from our Predecessors, both Kings and Queens of the said Kingdom, for many Hundred Years past, but also have possessed themselves of the Strength of the said Kingdom, in appointing Governours, Commanders, Officers, in all Parts and Places therein, at their own Will and Pleasure without our Consent; whereby we are deprived of our Sovereignty, and left naked without Defense: And for as much as we are in our selves very sensible that these Storms blow aloft, and are very likely to be carried by the Vehemency of the Protestant Party into our Kingdom of Ireland, and endanger our Royal Power and Authority there also; Know ye therefore, that we, reposing much Care and Trust in your Duty and Obedience, which we have for many Years past found, do hereby give unto you full Power and Authority to assemble and meet together, with all the Speed and Diligence that a Business of so great a Consequence doth require, and to advise and consult together by a sufficient and discreet Number, at all Times, Days, and Places, which you shall in your Judgments hold most convenient and material for the ordering, settling, and effecting of this great Work, mentioned and directed to you in our Letters, and to use all politick Ways and Means possible to possess your selves, for our use and safety of all the Forts, Castles, and Places of Strength and Defence within the said Kingdom, except the Places, Persons and Estates of our loving Subjects the Scots: And also to arrest and seize the Goods, Estates, and Persons, of all the English

1641. English Protestants within the said Kingdom to our use; and in your Care and speedy Performance of this our Will and Pleasure, we shall perceive your wonted Duty and Allegiance unto us, which we shall acknowledge and reward in due Time.

Witness our Self at *Edinburgh*, the 1st Day of *October*, in the 17th Year of our Reign.

Arguments that the King cannot have given this Commission.

Though for many Reasons it be more than probable that the King never granted a Commission to the *Irish* to take up Arms, it is however certain they gave out they had such a Thing. But it is no less certain, that it could not be the Commission above-mentioned, neither could this here be that published by the Leaders of the *Irish* Rebels. My Reason is, because in this Commission, the King is made to say Things that happened not till several Months after the Day of the Date, and which those who suppose it to have been published the 4th of *November* could not foresee. The King is made to say on the 1st of *October* 1641, that the Parliament had possessed themselves of his Sovereignty, and appointed Governours, Commanders and Officers, in all Places, which certainly was not done before the Month of *October* 1641. It must needs be therefore that *Rusworth*, who inserted the Commission above in his *Collections*, had bad *Memoirs* and little Judgment, not to see in this pretended Commission of the 1st of *October* 1641, Things which happened not till the next Year 1642. However it is true, the *Irish* boasted of having the King's Commission. But it is pretended they forged it themselves, and fastned to it an Impression of the *Great-Seal*, which they had taken off from some Grant or Patent.

The Effect of this Rumour to the King.

Be this as it will, the Pretension of the *Irish* that they had the King's and Queen's Authority, was of very ill Consequence for the King. There were but too many who had an ill Opinion of his Zeal for the Protestant Religion, and thought him capable of being induced by the Queen's Sollicitations to restore the

1641.

the Catholick Religion in *England*. The former Parliaments had discovered their Suspicions on that account, and the King had never taken any effectual Step to undeceive them, but given them good Words only, which were followed with no Effects. When therefore the News came that the *Irish* Papists were up in Arms, and had massacred all the *Protestants* that fell in their way, it was very natural to dread the like Plot in *England*, which could not but be extremely prejudicial to the King. Though the Parliament did not seem to regard much the Calumny which was spread against the King, they were filled with Distrust however, and this Distrust made them think it not proper to leave *England* without Troops, Money, and Ammunition, in order to assist *Ireland*, for fear *England* should be unprovided, in Case the same Plot should be contriving there. Nay, it was the Interest of the Leading-Men in the Parliament to feign a greater Distrust than they really had, that they might strengthen the Suspicions and Fears of such Members as were but half persuaded. This served to convince them how necessary it was to curb the King's Power, and render him incapable to put his Designs in Execution.

But though the Party of those who were for lessening the Regal Power were numerous in the Parliament, they were not however in Condition yet to go on as they pleased. Matters were to be prepared by Degrees, one while by cherishing Suspicions and Fears, another while by engaging the *House* to take proper Steps to lead them to their End, which was not known to all the Members.

*The King's
Enemies
attain
their Ends
by divers
Degrees.*

With this View it was, that under Colour of thanking the *Scots* for their promised Assistance in regard to *Ireland*, and of treating with them about the same, they got the *House* to send to the Committee in *Scotland* new Instructions very grating to the King. The *House* said in these Instructions,

*Instructions
to the
Committee
in Scot-
land mor-
tifying to
the King.*

1641.
Rush. IV.
P. 422.

“ That they had just Cause to believe that the
 “ Conspiracies and Commotions in *Ireland*, were but
 “ the Effects of the bad Counsels of those who con-
 “ tinued in Credit, Authority and Employment a-
 “ bout his Majesty ; therefore they feared that the
 “ great Aids which should be raised for subduing
 “ the Rebellion in *Ireland*, would be applied to the
 “ fomenting of it there, and encouraging some such
 “ like Attempt in *England*. And therefore the *Com-
 mons* besought his Majesty to change those Coun-
 “ cils, from which such ill Courses had proceeded,
 “ and to employ such Ministers as should be approv-
 “ ed of by his Parliament, who are his greatest and
 “ most faithful Council. But if his Majesty did not
 “ condescend to their Supplications, they should be
 “ forced to resolve upon some way of defending *Ire-
 land* from the Rebels, and of securing themselves
 “ from mischievous Counsels and Designs ; and com-
 “ mand those Aids and Contributions which should
 “ be raised for the reducing of *Ireland* to the Cust-
 “ dy and disposing of such Persons of Honour and
 “ Fidelity, as they had Cause to confide in ”.

These Instructions conclude with the following Article.

*You shall represent to his most excellent Majesty this
 our humble and faithful Declaration, that we cannot
 without much Grief remember the great Miseries, Bur-
 thens, and Distempers, which have for divers Years af-
 flicted all his Kingdoms and Dominions, and brought them
 to the last point of Ruin and Destruction ; all which have
 issued from the cunning, false, and malicious Practices of
 some of those who have been admitted into very near Pla-
 ces of Council and Authority about him, who have been
 Favourers of Popery, Superstition and Innovation, Sub-
 verters of Religion, Honour, and Justice, Factors for
 promoting the Designs of foreign Princes and States, to
 the great apparent Danger of his Royal Person, Crown,
 and*

and Dignity, and of all his People; Authors of false Scandals and Jealousies betwixt his Majesty and his loyal Subjects; Enemies to the Peace, Union and Confidence betwixt him and his Parliament, which is the surest Foundation of Prosperity and Greatness to his Majesty, of Comfort and Hope to them: That by their Councils and Endeavours, those great Sums which have been lately drawn from the People, have been either consumed unprofitably, or in the Maintenance of such Designs as have been mischievous and destructive to the State; and whilst we have been labouring to support his Majesty, to purge out the Corruption, and restore the Decays both of Church and State, others of their Faction and Party have been contriving by Violence and Force to suppress the Liberty of Parliament (a), and endanger the Safety of those who have opposed such wicked and pernicious Courses.

1641.

This was properly a Fore-runner to the *Remonstrance* Great De- of the State of the Kingdom, which was to be bates brought into the House the first Opportunity, and touching the Remon- which was actually read there the 22d of November. strance. It met with so strong Opposition, that the Debates lasted from Three in the Afternoon till Three in the Morning*. Many thought it needless to reproach the King with Grievances, to the Redress whereof he had without Sollicitation given a full Consent, and that besides the Needlessness of the *Remonstrance*, it would serve only to rip up old Wounds, to which a Cure had been applied, and infallibly make the Breach wider between the King and Parliament. But this very reason was precisely the Motive which spurred on the others to do their utmost to get the *Remon-*

(a) Alluding to the Conspiracy to seduce the Army.

* The Debate, says *Whitlock*, lasted till Ten a Clock the next Morning. The Lord *Clarendon* says, from Nine in the Morning till after Twelve at Night. The sitting up all Night caused Sir B.R. to compare it to the Verdict of a starved Fury, *Whit.* p. 49. *Oliver Cromwell* told the Lord *Falkland*, "That if the *Remonstrance* had been rejected, he would have sold all he had the next Morning, and never have seen England more." *Clarend.*

II. p. 312.

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strance

1641. *strance* approved of, because they wanted a Dissention between the King and Parliament, in order to bring both *Houses* to consent to the Diminution of the Regal Power. I do not take upon me to determine whether the Design of rendering the King incapable of governing for the future as he had done during Fifteen Years, was just in itself or necessary for the Welfare of the Kingdom. But it can hardly be denied that the Reasons wherewith it was supported were plausible enough. I will not affirm that they who formed it or pressed the Execution thereof had only their Country's Good in view; as on the other Hand, I do not well see what Security they could have, who were for leaving the King in Possession of the same Power he had enjoyed before. However that be, the *Remonstrance* was a sort of *Touchstone* to show which of the two Parties should prevail, and withal to decide in some measure the Fate of the King's Affairs. In short, after a Debate of Twelve Hours, it was carried by a Majority of Nine Voices only that the *Remonstrance* should be presented to his Majesty. The Lord *Clarendon* says, "It was carried " by the Hour of the Night, which drove away a " greater Number of old and infirm Opposers than " would have made those of the *Negative* Superior in " Number." But this way of reasoning to me seems to be weak. The same thing might also be alledged to prove, that it would have passed by more than Nine Voices, if several of those who were for it had not gone out of the *House*. For how could Infirmary or Weariness have a greater Effect upon one Party than the other? *

*It passes by
nine Voices
only.*

*It is orde-
red to be
printed.
Clarend.
ll. p 312.*

This Resolution was no sooner taken but Mr. *Hambden*, who was of the victorious Party, moved for the present printing of the *Remonstrance*, not thinking it necessary to communicate it to the Lords, since it ran only in the Name of the *Commons*. His Design was

* *Whitlock* says indeed, that sitting up all Night caused many through Weakness or Weariness to leave the *House*, but does not say they were of this or that Party, p. 49.

1641.

was that it should be dispersed among the People to stir them up against the King, which was also the Intention of his whole Party. This Motion, which was contrary to Custom, since they should have stayed at least till the *Remonstrance* had been presented to the King, before they considered of the Publication, produced a sharp Debate in the *House*, every one plainly perceiving the Consequence. But at last, the same Party that prevailed in the first, prevailed likewise in the second Question, and the *Remonstrance* was ordered to be printed. Some of the Opposers offered to enter a Protestation against it; but as it was not the Custom of the *House* to admit of Protestations, Mr. Palmer, who was the first that cried, *I do protest*, was sent to the *Tower*; but he was released after a few Days, and took his Place again in the *House*.

Ibid.
p. 315.

Three Days after, namely, the 25th of *November*, the King being returned from *Scotland*, passed through the City of *London*, and dined at *Guild-Hall*. He was received in his Capital with the same Demonstrations of Joy, Respect and Submission as were given on the like Occasions to such of his Predecessors as were most beloved by the People, and he had all the Reason in the World to be pleased with the Forwardness every body showed to do him Honour. But the Satisfaction he received from these publick Demonstrations of the Affection of the City of *London*, lasted not long.

The King
returns
from Scot-
land, and
is received
with great
Respect at
London.
Rush. IV.
p. 449.

As soon as the King came to *Whitehall*, the Earl of *Essex* surrendered his Commission of Captain-General of the *South* Parts of the Kingdom into his Hands; and the next Day the King dismissed the Guards which the Earl had given to both *Houses* at their Request. The *Commons* appeared displeased at it, and desired the Lords to concur with them in petitioning the King that the Guards might be continued till they had satisfied his Majesty of the Reasons why a Guard was necessary. The Lords consented to it, and the Earl of *Warwick* and the Lord *Digby* were ordered to move his Majesty accordingly; but they could not prevail.

The Earl
of Essex
resigns his
Commis-
sion.
The Com-
mons desire
the Con-
tinuance
of the
Guards;
the King
refuses it.
Rush. IV.
p. 435.
Nalson, II.
p. 685.

1641.
He offers
another
Guard.

The Com-
mons re-
fuse it.

Committee
to present
the Re-
mon-
strance to
the King.

The King answered, he saw no reason to continue the Guard: but however, he would command the Earl of *Dorset* to appoint some of the *Train-Bands* only for a few Days, to wait on both *Houses*, and if in that time he should be satisfied there was just reason, would continue them. He fully perceived that the Aim of those who desired the Continuance of the Guards, was only to cherish the Fears and Suspicions of the People. Upon this Answer the *Commons* presented a Memorial to the King, containing the Reasons why they desired the Guard might be continued, adding, they would not have a Guard under the Command of any Person not chosen by themselves. But as their Reasons were built upon very improbable Suppositions, they were without Effect.

The *Commons* insisted no farther on this Matter. But in a few Days after, they sent a Committee to present to the King, who was then at *Hampton-Court*, the *Remonstrance* before-mentioned, with a *Petition* of the *House*. This was the Alarum-Bell of the Discord between the King and the Parliament, as his Enemies had plainly foreseen. I think it necessary to insert here what passed with respect to this *Remonstrance*, which was attended with such Consequences, the Report of the Committee sent to the King, the *Petition* of the *House* with the *Remonstrance* itself, on which I shall make some Remarks, that the Reader may be able to judge what is just and true, and what is disguised or aggravated *.

* These Remarks the Author has inserted in the Body of the *Remonstrance*; but the Translator has thought fit to place them at the Bottom of the Page, where the Reader is desired to peruse them as he goes along.

*Sir Ralph Hopton's Report to the House
of Commons, of what passed at his
presenting the Petition and Remon-
strance to the King. Dec. 1. 1641.*

‘ **H** E said, that the last Night, in the Evening, Sir Ralph
‘ he and those that accompanied him, came into Hopton's
‘ Hampton-Court, where meeting with Sir Richard Report.
‘ Wynn, he went in to his Majesty, and gave him Rush. VI.
‘ notice of our being there; and within a Quarter p. 436.
‘ of an Hour the King sent a Gentleman Usher to call
‘ us in, with Directions for none to come in but our
‘ selves; whereupon I did according to your Order,
‘ and the rest with me upon our *Knees*, presenting
‘ the *Petition* and *Remonstrance*, and begun to read it
‘ kneeling, but his Majesty would not permit that,
‘ but commanded us to rise, and so I read it.

‘ The first thing that his Majesty spake at the
‘ reading thereof, was to that part of the *Petition*,
‘ that *charges a malignant Party* to be about his Ma-
‘ jesty, with a design to change *Religion*; to which
‘ his Majesty with a hearty Fervency said, *The Devil*
‘ *take him whomsoever he be that has a Design to change*
‘ *Religion*. Then I proceeded to read on; and when
‘ I came to that part of the Remonstrance of refer-
‘ ving the Lands of the *Rebels* in *Ireland* toward the
‘ suppressing them: His Majesty spake and said,
‘ *We must not dispose of the Bears-Skin till the Bear be*
‘ *dead*.

‘ After the *Petition* was read, his Majesty said, he
‘ desired to ask us some Questions; but I answered,
‘ We had no Power to speak to any thing, but
‘ wherein we had Commission; then said his Majesty,
‘ Doth the House intend to publish this Declaration?
‘ We said, we could not answer to it: *Well then,*
‘ said

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‘ said his Majesty, *I suppose you do not expect an Answer to so long a Petition; but this let me tell you, I have left Scotland well in Peace; they are well satisfied with me, and I with them; and though I staid longer than I expected, I think if I had not gone, you had not been so soon rid of the Army: I shall give you an Answer to this Business with as much Speed as the Weight thereof will permit.* And so was pleased to give us his Hand to Kifs; and thereupon we took our Leave, and afterwards Mr. Comptroller came to us with this Message, that the King desired there should be no publishing of this Declaration, till we had received his Answer: We were all that Night treated by Mr. Comptroller at Supper, and entertained with great Respect, and lodged by the King’s Harbinger.’

The PETITION of the House of Commons, which accompanied the Remonstrance of the State of the Kingdom, when it was presented to his Majesty at Hampton-Court, Dec. 1. 1641.

Most Gracious Sovereign,

The Petition which accompanied the Remonstrance.
Rush. IV.
p. 437.
Nelson II.
p. 692.

‘ **Y**OUR Majesty’s most humble and faithful Subjects, the Commons in this present Parliament assembled, do with much *Thankfulness* and Joy, acknowledge the great Mercy and Favour of God, in giving your Majesty a safe and peaceable Return out of Scotland into your Kingdom of England, where the pressing *Dangers and Distempers of the State*, have caused us with much Earnestness to desire the Comfort of your gracious *Presence*, and likewise the Unity and Justice of your Royal Authority, to give more Life and Power to the dutiful

ful and loyal Counsels and Endeavours of your Parliament, for the Prevention of that imminent Ruin and Destruction wherein your Kingdoms of *England* and *Scotland* are threatned. The Duty which we owe to your Majesty, and our Country, cannot but make us very sensible and apprehensive, that the Multiplicity, Sharpness, and Malignity of those Evils under which we have now many Years suffered, are fomented and *cherished* by a corrupt and *ill-affected* Party, who amongst other their mischievous Devices for the Alteration of Religion and Government, have sought by many false Scandals and Imputations, *cunningly insinuated* and dispersed among the People, to *blemish* and *disgrace* our Proceedings in this Parliament, and to get themselves a Party and Faction amongst your Subjects, for the better strengthening themselves in their wicked Courses, and hindering those Provisions and Remedies, which might by the Wisdom of your Majesty, and Counsel of your Parliament, be opposed against them.

For preventing whereof, and the better Information of your Majesty, your Peers, and all other your loyal Subjects, we have been necessitated to make a Declaration of the State of the Kingdom, both before and since the Assembly of this Parliament, unto this time, which we do humbly present to your Majesty, without the least Intention to lay any blemish upon your Royal Person, but only to represent how your Royal Authority and Trust have been abused, to the great Prejudice and Danger of your Majesty, and all your good Subjects. (1)

And

REMARK (1.) The Design of this Declaration or Remonstrance was not to inform the King, as the Commons assured him, but purely to make their Apology, and exasperate the People against the King. First, the Remonstrance was not directed to the King, and he is never

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‘ And because we have reason to believe that those malignant Parties whose Proceedings evidently appear to be mainly for the Advantage and Increase of Popery, are composed, set up and acted by the subtle Practice of the Jesuits, and other Engineers and Factors for Rome, to the great Danger of this Kingdom, and most grievous Affliction of your loyal Subjects, have so far prevailed, as to corrupt divers of your Bishops and others in prime Places of the Church (2), and also to bring divers of these Instruments to be of your Privy-Council (3), and other Employments of Trust near your Majesty, the Prince, and the rest of your Royal Children.

‘ And by this means have had such an Operation in your Council, and the most important Affairs and Proceedings of your GOVERNMENT, that a most dangerous Division, and chargeable Preparation for War betwixt your Kingdom of England and Scotland, the Encrease of Jealousies betwixt your Majesty and your most obedient Subjects, the violent Distraction and Interruption of this Parliament, the Insurrection of the Papists in your Kingdom of Ireland, and bloody Massacre of your People, have been not only endeavoured and attempted, but in a great Measure compassed and effected.

‘ For

never spoken of but in the Third Person. Secondly, the Commons voted that the Remonstrance should be printed, before they had received any Answer from the King, and published it against his Will. So what they say at the Close of this Article is all a Flourish, without one word of Truth.

R E M. (2.) *The Commons pointed at Land Archbishop of Canterbury, Neil * Bishop of Winchester, Wren Bishop of Ely, Cosins Dean of Peterborough.*

R E M. (3.) *As Windebank Secretary of State, and some others.*

* Neil was translated from Winchester to York in 1631, in which Honour he died Three Days before the Long-Parliament was opened.

‘ For preventing the final Accomplishment whereof,
 ‘ your poor Subjects are inforced to engage their Persons
 ‘ and Estates to the maintaining of a very expenceful and
 ‘ dangerous War, notwithstanding they have already,
 ‘ since the Beginning of this Parliament, undergone
 ‘ the Charge of 150000 l. Sterling, or thereabouts,
 ‘ for the necessary Support of your Majesty in these
 ‘ present and perilous Designs. And because all our
 ‘ most faithful Endeavours and Engagements will be in-
 ‘ effectual for the Peace, Safety, and Preservation of
 ‘ your Majesty and your People, if some present, real
 ‘ and effectual Course be not taken for suppressing this
 ‘ wicked and malignant Party.

‘ We your Majesty’s most humble and obedient
 ‘ Subjects, do with all Faithfulness and Humility be-
 ‘ seech your Majesty,

‘ 1. That you would be graciously pleased to con-
 ‘ cur with the humble Desires of your People in a parlia-
 ‘ mentary Way (4), for the preserving the Peace and
 ‘ Safety of the Kingdom from the malignant Designs
 ‘ of the Popish Party.

‘ For depriving the Bishops of their Votes in Parlia-
 ‘ ment (5.), and abridging their immoderate Power usur-
 ‘ ped over the Clergy, and other your good Subjects,
 ‘ which they have perniciously abused, to the Hazard
 ‘ of Religion, and great Prejudice and Oppression
 ‘ of the Laws of this Kingdom, and just Liberty of
 ‘ your People.

‘ For the taking away such Oppressions in Religion,
 ‘ Church-Government and Discipline, as have been
 ‘ brought in and fomented by them.

‘ For

RE M. (4.) That is to say, by consenting to the Bills
 which should be presented to him.

RE M. (5.) The Commons were not satisfied with
 desiring that the Bishops, whom they supposed guilty of
 the Design to countenance Popery, should be punished;
 but they took occasion from thence to inflict a Penalty on
 the whole Body of the Bishops, by depriving them of the
 Privilege of sitting in Parliament.

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‘ For uniting all such your loyal Subjects together, as
 ‘ join in the same fundamental Truths against the Pa-
 ‘ pists, by removing some Oppressions and unnecessary
 ‘ Ceremonies, by which divers weak Consciences have
 ‘ been scrupled, and seem to be divided from the
 ‘ rest (6.), and for the due Execution of those good
 ‘ Laws which have been made for securing the Li-
 ‘ berty of the Subjects.

‘ 2. That your Majesty will likewise be pleased to
 ‘ remove from your Council all such as persist to favour
 ‘ and promote any of those Pressures and Corruptions
 ‘ wherewith your People have been grieved; and that
 ‘ for the future, your Majesty will vouchsafe to em-
 ‘ ploy such Persons in your great and publick Affairs,
 ‘ and to take such to be near you in Places of Trust,
 ‘ as your Parliament may have cause to confide in; that
 ‘ in your princely Goodness to your People you will
 ‘ reject and refuse all Mediation and Sollicitation to the
 ‘ contrary, how powerful soever. (7)

‘ 3. That you will be pleased to forbear to alienate
 ‘ any of the forfeited and escheated Lands in Ireland,
 ‘ which shall accrew to your Crown by Reason of this
 ‘ Rebellion; that out of them the Crown may be the
 ‘ better supported, and some Satisfaction made to
 ‘ your Subjects of this Kingdom, for the great Ex-
 ‘ pences they are like to undergo this War.

‘ Which humble Desires of ours being graciously fulfilled
 ‘ by your Majesty, we will by the Blessing and Fa-
 ‘ vour of God, most chearfully undergo the Hazard and
 ‘ Expences of this War, and apply our selves to such
 ‘ other Courses and Counsels, as may support your Royal
 ‘ Estate with Honour and Plenty at Home, with
 ‘ Power

REM. (6.) *The meaning of which was, in the Language of the Commons or of their Leaders, that he should abolish the Hierarchy and Book of Common-Prayer; but they did not dare to speak out yet, and therefore they couched their Thoughts in this Expression, by removing unnecessary Ceremonies.*

REM. (7.) *Meaning the Queen.*

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‘ Power and Reputation Abroad, and by our loyal
 ‘ Affections, Obedience, and Service, lay a sure
 ‘ and lasting Foundation of the Greatness and Prof-
 ‘ perity of your Majesty, and your Royal Posterity
 ‘ to future Times.

*A Remonstrance of the State of the
 Kingdom presented to the King from
 the House of Commons, the first of
 December 1641.*

‘ **T**H E Commons in this present Parliament
 ‘ assembled, having with much Earnestness and
 ‘ Faithfulness of Affection and Zeal to the Publick
 ‘ Good of this Kingdom, and his Majesty’s Honour
 ‘ and Service, for the space of twelve Months, wrest-
 ‘ led with great Dangers and Fears, the pressing Mi-
 ‘ series and Calamities, the various Distempers and
 ‘ Disorders which had not only assaulted, but even
 ‘ overwhelmed and extinguished the Liberty, Peace,
 ‘ and Prosperity of this Kingdom, the Comfort and
 ‘ Hopes of all his Majesty’s good Subjects, and ex-
 ‘ ceedingly weakened, and undermined the Foun-
 ‘ dation and Strength of his own Royal Throne,

‘ Do yet find an abounding Malignity and Oppo-
 ‘ sition in those Parties and Factions who have been
 ‘ the Cause of those Evils, and do still labour to cast
 ‘ Aspersions upon that which hath been done, and
 ‘ to raise many Difficulties for the Hinderance of
 ‘ that which remains yet undone, and to foment Je-
 ‘ lousies betwixt the King and Parliament, that so
 ‘ they may deprive him and his People of the Fruit
 ‘ of his own gracious Intentions, and their humble
 ‘ Desires of procuring the publick Peace, Safety,
 ‘ and Happiness of this Realm: For the preventing
 ‘ those miserable Effects which such malicious Endeav-

‘ yours

1641. 'vours may produce, we have thought good to declare : (1)

'The Root and Growth of these mischievous Designs.

'The Maturity and Ripeness to which they have attained before the beginning of the Parliament.

'The effectual Means that have been used for the Extirpation of those dangerous Evils, and the Progress which hath therein been made by his Majesty's Goodness, and the Wisdom of the Parliament.

'The Ways of Obstruction and Opposition, by which that Progress hath been interrupted.

'The Courses to be taken for the removing those Obstacles, and for the accomplishing of our most dutiful and faithful Intentions and Endeavours of restoring and establishing the ancient Honour, Greatness and Security of this Crown, and Nation.

'The Root of this Mischief we find to be a malignant and pernicious Design of subverting the fundamental Laws and Principles of Government, upon which the Religion and Justice of this Kingdom are firmly established. The Actors and Promoters hereof have been,

'1. The jesuited Papists, who hate the Laws, as they are Obstacles of that Change and Subversion of Religion which they so much longed for.

'2. The Bishops, and the corrupt Part of the Clergy, who cherish Formality and Superstition, as the natural Effects, and more probable Supports of their own Ecclesiastical Tyranny and Usurpation.

'3. Such Counsellors and Courtiers as for private Ends have engaged themselves to further the Interests

REM. (1.) *This was all Flourish, and a Pretense made use of by the Commons to have an occasion to publish this Remonstrance, which was resolved upon in the very beginning of the Parliament, before any Body had thought of blaming their Conduct.*

'terests of some foreign Princes, or States, to the
'prejudice of his Majesty and the State at Home. 1641.

'The common Principles by which they moulded
'and governed all their particular Counsels and Acti-
'ons were these.

'First, to maintain continual Differences and Dif-
'ferences betwixt the King and his People, upon
'questions of Prerogative and Liberty, that so they
'might have the Advantage of siding with him,
'and under the Notion of Men addicted to his Ser-
'vice, gain to themselves and their Parties, the Pla-
'ces of the greatest Trust and Power in the King-
'dom. (2)

'A Second, to suppress the Purity and Power of
'Religion, and such Persons as were best affected to
'it, as being contrary to their own Ends, and the
'greatest Impediment to that Change which they
'thought to introduce.

'A Third, to conjoin those Parties of the King-
'dom which were most propitious to their own
'Ends, and to divide those who were most opposite,
'which consisted in many particular Observations.

'To cherish the *Arminian* Part in those Points,
'wherein they agree with the *Papists* to multiply and
'enlarge the Difference between *Protestants*, and
'those whom they call *Puritans*, to introduce and
'countenance such Opinions and Ceremonies as are
'fittest for Accommodation with Popery, to increase
'and maintain Ignorance, Looseness, and Prophane-
'ness in the People. That of those three Parties,
'*Papists*, and *Arminians* and *Libertines*, they might
'compose a Body fit to act such Counsels and Re-
'solutions as were most conducive to their own
'Ends.

' A

REM. (2.) *It is certain, this was the way Arch-
bishop Laud, and the Arminian Party grew powerful at
Court.*

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‘ A Fourth, to disaffect the King to Parliaments
 ‘ by Slanders and false Imputations, and by putting
 ‘ him on other ways of Supply, which in shew and
 ‘ appearance were fuller of Advantage than the or-
 ‘ dinary Course of Subsidies, though in Truth they
 ‘ brought more Loss than Gain both to the King
 ‘ and People, and have caused the great Distractions
 ‘ under which we both suffer.

‘ As in all compounded Bodies the Operations are
 ‘ qualified according to the predominant Element,
 ‘ so in this mixt Party, the jesuited Counsels being
 ‘ most active and prevailing, may easily be discover-
 ‘ ed to have had the greatest Sway in all their Deter-
 ‘ minations, and if they be not prevented, are likely
 ‘ to devour the rest, or to turn them into their own
 ‘ Nature.

‘ In the beginning of his Majesty’s Reign, the
 ‘ Party begun to revive and flourish again, having
 ‘ been somewhat damp’t by the Breach with *Spain*
 ‘ in the last Year of the Reign of King *James*, and
 ‘ by his Marriage with *France*; the Interests and
 ‘ Counsels of that State being not so contrary to the
 ‘ good of Religion, and the Prosperity of this King-
 ‘ dom, as those of *Spain*; and the *Papists* of *Eng-*
 ‘ *land* having been ever more addicted to *Spain* than
 ‘ *France*, yet they still retained a Purpose and Re-
 ‘ solution to weaken the Protestant Parties in all
 ‘ Parts, and even in *France*, whereby to make way
 ‘ for the Change of Religion, which they intended
 ‘ at Home.

‘ 1. The first Effect and Evidence of their Reco-
 ‘ very and Strength, was the Dissolution of the Par-
 ‘ liament at *Oxford*, after there had been given two
 ‘ *Subsidies* to his Majesty, and before they received
 ‘ Relief in any one *Grievance*, many other more mi-
 ‘ serable Effects followed.

‘ 2. The loss of the *Rochel* Fleet, by the help of
 ‘ our Shipping, set forth and delivered over to the
 ‘ *French*, in Opposition to the Advice of Parlia-
 ‘ ment

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' ment (3), which left that Town without Defence
' by Sea, and made way, not only to the loss of that
' important Place, but likewise to the loss of all the
' Strength and Security of the *Protestant* Religion in
' France.

' 3. The diverting his Majesty's Course of Wars
' from the *West-Indies*, which was the most hopeful
' and facile way for this Kingdom to prevail against
' the *Spaniards*, to an expenceful and unsuccessful At-
' tempt upon *Cales*, which was ordered as if it had
' rather been intended to make us weary of War,
' than to prosper in it (4).

' 4. The precipitate Breach with *France*, by taking
' their Ships to a great Value, without making Re-
' compence to the *English*, whose Goods were there-
' upon imbarred, and confiscate in that Kingdom.

' 5. The Peace with *Spain*, without Consent of
' Parliament, contrary to the promise of King *James*
' to both Houses, whereby the *Palatines* Cause was
' deserted and left to chargeable and hopeless Trea-
' ties, which for the most part were managed by
' those who might justly be suspected to be no Friends
' to that Cause (5).

' The

REM. (3). *It cannot properly be said that the seven Ships Charles I. lent the King of France were delivered to the French, in Opposition to the Advice of Parliament, since the Thing was done before the Parliament was acquainted with it. It is likewise aggravating Matters greatly, to impute the loss of the Rochel-Fleet, and of Rochel it self, to the Aid of the seven English Ships, when the Mariners of that Nation deserted the said Ships.*

REM. (4.) *This Accusation seems to be a little too far-fetched, since Elizabeth had taken both Courses with Success.*

REM. (5.) *This Article contains three Accusations against the King, 1. of making Peace with Spain without*

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‘ 6. The charging of the Kingdom with billeted Soldiers in all Parts of it, and that concomitant Design of German Horse, that the Land might either submit with Fear, or be enforced with Rigour to such Arbitrary Contributions as should be required of them (6).

‘ 7. The dissolving the Parliament in the second Year of his Majesty’s Reign, after a Declaration of their intent to grant five Subsidies (7).

‘ 8. The exacting the like Proportion of five Subsidies after the Parliament was dissolved, by Commission of *Loan*; and divers Gentlemen and others imprisoned for not yielding to pay their *Loan*, whereby many of them contracted such Sicknesses as cost them their Lives.

Consent of Parliament; 2. of neglecting in this Peace, the Interest of the Elector Palatine. 3. of treating of that Prince’s Affairs by suspected Persons. As to the first, it is true, King James had promised not to make Peace with Spain without the Parliament’s Approbation: But it was at a Time when the Parliament began to supply him with Money for the War, and promised to do so for the carrying it on. But the Face of Affairs was changed, when Charles I. made Peace. As to the second Charge of neglecting the Cause of the Elector Palatine, it is properly a Cavil, for the King, having no Money to continue the War against Spain, was not in Condition to do any Thing to support the Elector’s Cause. All that can be said, is, that he would have had Money from the Parliament, had he been willing to redress the Grievances. I am ignorant of the Foundation of the third Accusation.

REM. (6.) *These two Accusations are unanswerable. There was but too much Reason to believe, that this was done on purpose to establish an Arbitrary Government.*

REM. (7.) *This Parliament was dissolved purely to save the Duke of Buckingham.*

‘ 9. Great

‘ 9. Great Sums of Money required and raised by
‘ Privy-Seal (8).

‘ 10. An unjust and pernicious Attempt to extort
‘ great Payments from the Subject by way of *Excise*,
‘ and a Commission issued under the *Great-Seal* for
‘ that purpose.

‘ 11. The *Petition of Right* which was granted in
‘ full Parliament blasted, with an illegal Declaration
‘ to make it destructive to it self, to the Power of
‘ Parliament, to the Liberty of the Subject, and to
‘ that purpose printed with it, and the *Petition* made
‘ of no use but to shew the bold and presumptuous
‘ Injustice of such Ministers as durst break the Laws,
‘ and suppress the Liberties of the Kingdom, after
‘ they had been so solemnly and evidently declared.

‘ 12. Another Parliament dissolved 4. *Car.* the
‘ Privilege of Parliament broken, by imprisoning di-
‘ vers Members of the *House*, detaining them close
‘ Prisoners for many Months together, without the
‘ Liberty of using Books, Pen, Ink, or Paper, de-
‘ nyng them all the Comforts of Life, all Means of
‘ Preservation of Health, not permitting their Wives
‘ to come unto them, even in Time of their Sick-
‘ ness.

‘ 13. And for the compleating that Cruelty, after
‘ many Years spent in such miserable Durance, de-
‘ priving them of the necessary Means of Spiritual
‘ Consolation, not suffering them to go abroad to
‘ enjoy God’s Ordinances in God’s House; or God’s
‘ Ministers to come to them to minister Comfort
‘ to them in their private Chambers.

‘ 14. And to keep them still in this oppressed Con-
‘ dition, not admitting them to be *bailed* according to
‘ Law, yet vexing them with Informations in inferior
‘ Courts, sentencing and fineing some of them for

REM. (8). *These Articles were notoriously true. There is no excusing them, but by asserting that the King had a right to do whatever he did. But this is a great Question.*

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‘ Matters done in Parliament; and extorting the
 ‘ Payments of those *Fines* from them, enforcing o-
 ‘ thers to put in Security of good Behaviour before
 ‘ they could be released.

* Sir John
 Elliot.

‘ 15. The Imprisonment of the rest, which refused
 ‘ to be bound, still continued, which might have
 ‘ been perpetual, if Necessity had not last Year
 ‘ brought another Parliament to relieve them, of
 ‘ whom one * died, by the Cruelty and Harshness
 ‘ of his Imprisonment, which would admit of no
 ‘ Relaxation, notwithstanding the eminent Danger
 ‘ of his Life did sufficiently appear by the Declara-
 ‘ tion of his Physician. And his Release, or at least
 ‘ his Refreshment, was sought by many humble Peti-
 ‘ tions. And his Blood still cries out either for Ven-
 ‘ gance or Repentance, of those Ministers of State
 ‘ who have at once obstructed the Course both of
 ‘ his Majesty’s Justice and Mercy. (9)

‘ 16. Upon the Dissolution of both these Parlia-
 ‘ ments, untrue and scandalous Declarations were
 ‘ published to asperse their Proceedings, and some
 ‘ of their Members unjustly; to make them odious,
 ‘ and colour the Violence which was used against
 ‘ them (10). Proclamations set out to the same Pur-
 ‘ pose; and to the great dejecting the Hearts of the
 ‘ People, forbidding them even to speak of Parlia-
 ‘ ments.

R E M. (9.) *The Rigour exercised upon these Mem-
 bers of Parliament, is one of the strongest Proofs of the
 Design to establish Arbitrary Power. And therefore the
 Commons largely insist upon this Article.*

R E M. (10.) *If by these Declarations are meant,
 those which were published to make known the Causes of
 the Dissolution of these Parliaments, it may be said, that
 the Commons are much wanting in the Respect due to
 the King, by terming them untrue and scandalous, since
 they were published in his Name.*

‘ 17. After

‘ 17. After the Breach of the Parliament in the
 ‘ fourth of his Majesty, Injustice, Oppression and
 ‘ Violence, broke in upon us, without any Restraint
 ‘ or Moderation, and yet the first Project was the
 ‘ great Sums exacted through the whole Kingdom,
 ‘ for default of *Knighthood*, which seemed to have
 ‘ some Colour of a Law, yet if it be rightly ex-
 ‘ amined by that obsolete Law which was pretended
 ‘ for it, it will be found to be against all the Rules
 ‘ of Justice, both in respect of the Persons charged,
 ‘ the Proportion of the *Fines* demanded, and the ab-
 ‘ surd and unreasonable manner of their Proceedings.

‘ 18. *Tonnage* and *Poundage*, hath been received
 ‘ without Colour or Pretence of Law : Many other
 ‘ heavy Impositions continued against Law ; and
 ‘ some so unreasonable, that the Sum of the Charge
 ‘ exceeds the value of the Goods.

‘ 19. The Book of Rates lately enhanced to a high
 ‘ Portion ; and such Merchants that would not sub-
 ‘ mit to their illegal and unreasonable Payments,
 ‘ were vexed and oppressed above Measure, and the
 ‘ ordinary Course of Justice, the common Birth-right
 ‘ of the Subjects of *England* wholly obstructed and
 ‘ taken from them.

‘ 20. And although this was taken on Pretence of
 ‘ guarding the Seas, yet a new and unheard-of Tax
 ‘ of *Ship-Money* was devised, and upon the same Pre-
 ‘ tense. By both which there were charged upon the
 ‘ Subject near 700000 *l.* some Years, and yet the
 ‘ Merchants have been left so naked to the *Turkish*
 ‘ Pyrates ; that many great Ships of Value, and
 ‘ Thousands of his Majesty’s Subjects have been taken
 ‘ by them, and do still remain in miserable Slavery.

‘ 21. The Enlargements of Forests, contrary to
 ‘ *Charta de Foresta*, and the Composition thereupon.

‘ 22. The Exactions of *Coat* and *Conduet-Money*,
 ‘ and divers other Military Charges. (11)

REM. (11.) *The King being engaged in a War a-*
gainst

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‘ 23. The taking away the Arms of Train’d-bands of divers Counties. (12)

‘ 24. The desperate Design of engrossing all the Gun-powder into one Hand, keeping it in the Tower of London, and setting so high a rate upon it, that the poorer sort were not able to buy it; nor could any have it without Licence; thereby to leave several parts of the Kingdom destitute of their necessary Defence; and by selling so dear that which was sold, to make an unlawful Advantage of it, to the great Charge and Detriment of the Subject.

‘ 25. The general Destruction of the King’s Timber, especially in the Forest of Dean, sold to Papists, which was the best Store-House of this Kingdom for the Maintenance of our Shipping. (13)

gainst Scotland, ordered that every County should find a certain Number of Soldiers, and cloath and pay them, till they came to the Place of the general Rendezvous, on Condition of being repaid another Time. On this Pretense it was agreed with the Counties, that they should supply the King with a certain Sum proportionable to the Number of Soldiers each County was to cloath and pay, for which the King took the whole Charge upon himself. This is what was called Coat and Conduct-Money, that is to say, Money for cloathing and conducting the Troops. But this Money was never restored.

REM. (12.) The King intending to make a Magazine of Arms in the Castle of Edinburgh, found no speedier way than to take in some Counties the Arms of the Militia and send them to Scotland. But it was pretended, that at the same time, his Design was to disarm under that Pretense, such Persons as were not well-affected to him. And this also is what the Remonstrance insinuates in the following Article concerning Powder.

REM. (13.) These Points are perhaps a little aggravated, at least in respect to the Motives and Consequences.

‘ 26. The taking away of Mens Right under
‘ Colour of the King’s Title to Land, between high
‘ and low Water-Mark.

‘ 27. The Monopolies of Soap, Salt, Wine, and
‘ Leather, Sea-Coal, and in a manner all Things of
‘ most common and necessary use.

‘ 28. The Restraint of the Liberties of the Sub-
‘ jects in their Habitations, Trades, and other In-
‘ terests.

‘ 29. Their Vexation and Oppression by Purvey-
‘ ors, Clerks of the Market, and Salt-peter Men

‘ 30. The Sale of pretended Nufances, as Build-
‘ ings in and about *London*.

‘ 31. Conversion of Arable into Pasture, Conti-
‘ nuance of Pasture, under the Name of Depopula-
‘ tion, have driven many Millions out of the Sub-
‘ jects Purses, without any considerable Profit to his
‘ Majesty. (14)

‘ 32. Large Quantities of Common and several
‘ Grounds hath been taken from the Subject, by
‘ Colour of the Statute of Improvement, and by
‘ abuse of the Commission of *Sewers*, without their
‘ Consent and against it. (15)

REM. (14.) *The Woollen Trade being the main Source of the Riches of England, the Subjects were enjoined by several Statutes, not to change Pasture into Arable Land, for fear of lessening the Flocks, and consequently the Wool. In King Charles’s Reign the Offenders against these Statutes were strictly inquired after, not with a view to hinder the Abuses, but to authorize them for a Composition with the King.*

REM. (15.) *Commissioners of Sewers are such as by Authority under the Great-Seal, see Drains and Ditches well kept and maintained in marshy and fenny Countries, for the better Conveyance of the Water into the Sea, and preserving Grass upon the Land for the Feeding of Flocks and Herds. The Commons complain that ill-use was made of this Commission.*

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‘ 33. And not only private Interest, but also public Faith hath been broken, in seizing of the Money and Bullion in the Mint, and the whole Kingdom like to be robbed at once, in that abominable Project of brass Money. (16)

‘ 34. Great Numbers of his Majesty’s Subjects, for refusing those unlawful Charges, have been vexed with long and expensive Suits, some fined and censured, others committed to long and hard Imprisonments and Confinements, to the loss of Health in many, and Life in some, and others have had their Houses broken up, their Goods seized, some have been restrained from their lawful Callings.

‘ 35. Ships have been interrupted in their Voyages, surpris’d at Sea in hostile Manner by Projectors, as by a common Enemy.

‘ 36. Merchants prohibited to unlade their Goods in such Ports as were for their own Advantage, and forced to bring them to those Places which were much for the Advantage of those *Monopolizers* and *Projectors*.

‘ 37. The Court of *Star-Chamber* hath abounded in extravagant Censures, not only for the Maintenance and Improvement of *Monopolies*, and other unlawful Taxes, but for divers other Causes, where there hath been no Offence, or very small; whereby his Majesty’s Subjects have been oppressed by grievous Fines, Imprisonments, Stigmatizing, Mutilations, Whippings, Pillories, Gags, Confinements, Banishments; after so rigid a Manner, as hath not only deprived Men of the Society of their Friends, Exercise of their Professions, Comfort of Books, use of Paper and Ink, but even violated that near Union which God hath established betwixt Men and their Wives, by forced and constrained Separation, whereby they have been

REM. (16.) *The King took but forty Thousand Pound out of the Mint, which Sum was afterwards repaid to the Proprietors.*

‘ bereaved

‘ bereaved of the Comfort and Conversation one of
 ‘ another for many Years together, without hope of
 ‘ Relief, if God had not by his over-ruling Provi-
 ‘ dence given some Interruption to the prevailing
 ‘ Power and Counsel of those who were the Authors
 ‘ and Promoters of such peremptory and heady
 ‘ Courses (17.)

‘ 38. Judges have been put out of their Places
 ‘ for refusing to do against their Oaths and Consci-
 ‘ ences: Others have been so awed that they durst
 ‘ not do their Duties, and the better to hold a Rod
 ‘ over them, the Clause, *Quam diu se bene gesserit*,
 ‘ was left out of their Patents, and a new Clause,
 ‘ *Durante bene placito*, inserted.

‘ 39. Lawyers have been checked for being faith-
 ‘ ful to their Clients: Sollicitors and Attorneys have
 ‘ been threatned, and some punished for following
 ‘ lawful Suits. And by this means all the Approaches
 ‘ to Justice were interrupted and forecluded.

‘ 40. New Oaths have been forced upon the Sub-
 ‘ ject against Law.

‘ 41. New Judicatories erected without Law. The
 ‘ Council-Table have by their Orders offered to bind
 ‘ the Subjects in their Freeholds, Estates, Suits and
 ‘ Actions.

‘ 42. The pretended Court of the *Earl Marshal*
 ‘ was arbitrary and illegal in its Being and Pro-
 ‘ ceedings.

‘ 43. The *Chancery*, *Exchequer-Chamber*, Court of
 ‘ *Wards*, and other *English* Courts, have been grie-
 ‘ vous in exceeding their Jurisdiction.

“ 44. The Estate of many Families weakened,
 ‘ and some ruined by excessive *Fines*, exacted from
 ‘ them for Composition of *Wardships*.

‘ 45. All Leases of above 100 Years made to
 ‘ draw on *Wardship* contrary to Law.

RE M. (17.) *This whole Article relates to the rig-
 rous Treatment against Pryn, Bastwick and Burton,
 by the Star-Chamber.*

‘ 46. Undue

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‘ 46. Undue Proceedings used in the finding of
‘ Offices, to make the *Jury* find for the King.

‘ 47. The *Common-Law Courts*, seeing all Men
‘ more inclined to seek Justice there, where it may
‘ be fitted to their own Desires, are known frequently
‘ to forsake the Rules of the *Common-Law*, and stray-
‘ ing beyond their Bounds, under the pretence of E-
‘ quity, to do Injustice. (18.)

‘ 48. Titles of Honour, judicial Places, Serjeant-
‘ ships at Law, and other Offices have been sold for
‘ great Sums of Money ; whereby the Common Jus-
‘ tice of the Kingdom hath been much endangered,
‘ not only by opening a way of Employment, in
‘ Places of great Trust and Advantage to Men of
‘ weak Parts ; but also by giving occasion to Bribe-
‘ ry, Extortion, Partiality ; it seldom happening
‘ that Places ill-gotten are well used (19.)

REM. (18.) *The Laws of England are divided into Common-Law, and Statute-Law ; the first is built on ancient Custom, &c. and the other on Acts of Parliament : From these Laws the Judges are not allowed to swerve either to the Right or Left*. The Court of Chancery only may in some Cases judge according to Equity. Now the King's Courts in taking upon them to judge according to Equity, and not according to strict Law, had gone beyond their Jurisdiction, in order to favour the Court.*

REM. (19.) *A Serjeant at Law [or of the Coif,] Serviens ad legem, is the highest Degree taken in that Profession, as that of Doctor is in the Civil-Law. One Court is set a-part for them to plead in by themselves, namely, the Court of Common-Pleas, though they are not restrained from pleading in any other Court. Out of these*

* The Author in this Remark has confounded in the Original the *Common* and *Statute* Law, making them to be the same.

‘ 49. Commissions have been granted for examining the Excess of *Fees* : And when great Exactions have been discovered, Compositions have been made with *Delinquents*, not only for the Time past, but likewise for Immunity, and Security in offending for the Time to come, which under the Colour of Remedy, hath but confirmed and increased the *Grievance* to the Subject.

‘ 50. The usual Course of pricking *Sheriffs*, not observed, but many times *Sheriffs* made an extraordinary way, sometimes as a Punishment and a Charge unto them (20), sometimes such were pricked out as would be Instruments to execute whatsoever they would have to be done.

‘ 51. The Bishops and the rest of the *Clergy*, did triumph in the Suspensions, Excommunications, Deprivations, and Degradations of divers painful, learned, and pious Ministers, in the Vexation and grievous Oppressions of great Numbers of his Majesty’s good Subjects.

‘ 52. The *High-Commission* grew to such Excess of Sharpness and Severity as was not much less than the *Romish Inquisition*, and yet in many Cases by the Archbishop’s Power, was made much more heavy, being assisted and strengthened by Authority of the Council-Table.

‘ 53. The Bishops and their Courts were as eager in the Country ; although their Jurisdictions could not reach so high in Rigour and Extremity of Punishment ; yet were they no less grievous in re-

*these are chosen one or more King’s Serjeants, to plead for him in all Causes, especially in those of Treason **.

RE M. (20.) *To hinder them from being chosen to serve in Parliament, as Sir Edward Coke, [Sir Robert Philips, and Sir Thomas Wentworth.]*

* The Author has committed likewise some Mistakes in this Remark, which are corrected in the Translation.

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‘ spect of the generality and multiplicity of Vexations, which lighting upon the meaner sort of Tradesmen and Artificers, did impoverish many Thousands ;

‘ 54. And so afflict and trouble others, that great Numbers, to avoid their Miseries, departed out of this Kingdom, some into *New-England*, and other Parts of *America*, others into *Holland* :

‘ 55. Where they have transported their Manufactures of Cloath, which is not only a Loss by diminishing the present Stock of the Kingdom, but a great Mischief by impairing and endangering the Loss of that peculiar Trade of clothing, which hath been a plentiful Fountain of Wealth and Honour to this Nation.

‘ 56. Those were fittest for *Ecclesiastical* Preferments, and soonest obtained it, who were most officious in promoting *Superstition*, most virulent in railing against *Godliness* and *Honesty*. (21.)

‘ 57. The most publick and solemn Sermons before his Majesty were, either to advance Prerogative above Law, and decry the Property of the Subject, or full of such kind of *Invectives*.

‘ 58. Whereby they might make those odious who sought to maintain the Religion, Laws and Liberties of the Kingdom, and such Men were sure to be weeded out of the Commission of the Peace, and out of other Employments of Power in the Government of the Country.

‘ 59. Many noble Persons were Counsellors in Name, but the Power and Authority remained in a few of such as were most addicted to this Party : Whose Resolutions and Determinations were brought to the *Table* for Countenance and Execution, and not for Debate and Deliberation, and no Man could offer to oppose them without Disgrace and Hazard to himself.

REM. (21.) By these are to be understood such as were most incensed against Presbyterianism.

‘ 60. Nay

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‘ 60. Nay all those that did not wholly concur,
‘ and actively contribute to the furtherance of their
‘ Designs, though otherwise Persons of never so
‘ great Honour and Abilities, were so far from be-
‘ ing employed in any Place of Trust and Power,
‘ that they were neglected, discountenanced, and up-
‘ on all Occasions injured and oppressed.

‘ 61. This Faction was grown to that height and
‘ entireness of Power, that now they began to think
‘ of finishing of their Work, which consisted of these
‘ Three Parts.

‘ 62. I. The Government must be set free from
‘ all Restraint of Laws concerning our Persons and
‘ Estates.

‘ 63. II. There must be a Conjunction betwixt
‘ *Papists* and *Protestants* in Doctrine, and Discipline,
‘ and Ceremonies, only it must not be called *Poper*y.

‘ 64. III. The *Puritans*, under which Name they
‘ include all those that desire to preserve the Laws
‘ and Liberties of the Kingdom, and to maintain
‘ Religion in the Power of it, must be either rooted
‘ out of the Kingdom with force, or driven out with
‘ fear.

‘ 65. For the effecting of this, it was thought ne-
‘ cessary to reduce *Scotland* to such *Popish* Supersti-
‘ tions and Innovations, as might make them apt to
‘ join with *England* in that great Change which was
‘ intended.

‘ 66. Whereupon new *Canons* and new *Liturgy*
‘ were prest upon them; and when they refused to
‘ admit of them, an Army was raised to force them
‘ to it, towards which the *Clergy* and the *Papists* were
‘ very forward in their Contribution.

‘ 67. The *Scots* likewise raised an Army for their
‘ Defence.

‘ 68. And when both Armies were come together,
‘ and ready for a bloody Encounter, his Majesty’s
‘ own gracious Disposition, and the Counsel of the
‘ *English*

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‘ *English* Nobility, and dutiful Submission of the
 ‘ *Scots*, did so far prevail against the evil Counsel of
 ‘ others, that a *Pacification* was made, and his Ma-
 ‘ jesty returned with Peace and much Honour to
 ‘ *London*.

‘ 69. The unexpected Reconciliation was most
 ‘ acceptable to all the Kingdom except the malig-
 ‘ nant Party ; whereof the Archbishop and the Earl
 ‘ of *Strafford* being Heads, they and their Faction
 ‘ began to inveigh against the Peace, and to aggra-
 ‘ vate the Proceedings of the States, which so in-
 ‘ censed his Majesty, that he forthwith prepared a-
 ‘ gain for War.

‘ 70. And such was their Confidence, that having
 ‘ corrupted and distempered the whole Frame and
 ‘ Government of the Kingdom, they did now hope
 ‘ to corrupt that which was the only Means to restore
 ‘ all to a right Frame and Temper again.

‘ 71. To which end they persuaded his Majesty to
 ‘ call a Parliament, not to seek Counsel and Advice
 ‘ of them, but to draw Countenance and Supply
 ‘ from them, and to engage the whole Kingdom in
 ‘ their Quarrel.

‘ 72. And in the mean time, continued all their
 ‘ unjust Levies of Money, resolving either to make
 ‘ the Parliament pliant to their Will, and to esta-
 ‘ blish Mischief by a Law, or else to break it, and
 ‘ with more colour to go on by Violence, or take
 ‘ what they could not obtain by Consent ; the Ground
 ‘ they alledged for the Justification of this War was
 ‘ this :

‘ 73. That the undutiful Demands of the Parlia-
 ‘ ments in *Scotland* was a sufficient Reason for his Ma-
 ‘ jesty to take Arms against them, without hearing
 ‘ the Reason of those Demands, and thereupon a
 ‘ new Army was prepared against them ; their Ships
 ‘ were seized in all Ports both of *England* and *Ireland*,
 ‘ and at Sea their *Petitions* rejected, their Commissio-
 ‘ ners refused Audience.

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' 74. This whole Kingdom most miserably distempered with Levies of Men and Money; and Imprisonments of those who denied to submit to those Levies.

' 75. The Earl of *Strafford* pass'd into *Ireland*, caused the Parliament there to declare against the *Scots*, to give Four Subsidies towards that War; and to engage themselves, their Lives and Fortunes for the Prosecution of it; and gave Direction for an Army of Eight Thousand Foot, and One Thousand Horse, to be levied there, which were for the most part *Papists*.

' 76. The Parliament met upon the 13th of *April* 1640. The Earl of *Strafford*, and Archbishop of *Canterbury*, with their Party, so prevailed with his Majesty, that the House of *Commons* was pressed to yield a Supply for Maintenance of the War with *Scotland*, before they had provided any Relief for the great and pressing Grievances of the People; which being against the fundamental Privilege and Proceedings of Parliament, was yet in humble Respect to his Majesty so far admitted, as that they agreed to take the Matter of Supply into Consideration, and two several Days it was debated.

' 77. Twelve Subsidies were demanded for the Release of *Ship-Money* alone: A Third Day was appointed for Conclusion, when the Heads of that Party began to fear the People might close with the King, in satisfying his Desires of Money: But that withal they were like to blast their malicious Designs against *Scotland*, finding them very much indisposed to give any Countenance to that War.

' 78. Thereupon they wickedly advised the King to break off the Parliament, and to return to the Ways of Confusion, in which their own evil Intentions were most like to prosper and succeed. (22.)

' 79. After

REM. (22.) *The Lord Clarendon, who was then in the House of Commons, affirms that the House was very well*

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‘ 79. After the Parliament ended, the 5th of May
 ‘ 1640, this Party grew so bold, as to counsel the
 ‘ King to supply himself out of his Subjects Estates,
 ‘ by his own Power, at his own Will, without their
 ‘ Consent.

‘ 80. The very next Day, some Members of both
 ‘ Houses had their Studies and Cabinets, yea their
 ‘ very Pockets searched: Another of them not long
 ‘ after was committed close Prisoner, for not delive-
 ‘ ring some *Petitions* which he received by Authority
 ‘ of that *House*.

‘ 81. And if harsher Courses were intended (as
 ‘ was reported) it is very probable that the Sicknefs
 ‘ of the Earl of *Strafford*, and the tumultuous rising
 ‘ in *Southwark* and about *Lambeth*, were the Causes
 ‘ that such violent Intentions were not put in Execu-
 ‘ tion.

‘ 82. A false and scandalous Declaration against
 ‘ the House of *Commons* was published in his Ma-
 ‘ jesty’s Name, which yet wrought little Effect with
 ‘ the People, but only to manifest the Impudence of
 ‘ those who were the Authors of it.

‘ 83. A forced Loan of Money was attempted in
 ‘ the City of *London*.

‘ 84. The Lord-Mayor and Aldermen in their
 ‘ several *Wards*, enjoined to bring in a List of the
 ‘ Names of such Persons as they judged fit to lend,
 ‘ and of the Sum they should lend, and such Alder-
 ‘ men as refused so to do were committed to Prison.

‘ 85. The Archbishop, and the other Bishops and
 ‘ Clergy continued the *Convocation*, and by a new
 ‘ Commission turned it into a Provincial Synod, in
 ‘ which, by an unheard of Presumption, they made
 ‘ *Canons* that contain in them many Matters, contrary

*well inclined to satisfy the King, if he would have had a
 little Patience, and that he repented afterwards of his
 Haste. This confirms what is said here, that the Parlia-
 ment was dissolved, for some private Ends of those who
 had the greatest Sway in the King’s Council.*

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‘ to the King’s Prerogative, to the fundamental
 ‘ Laws and *Statutes* of the Realm ; to the Right of
 ‘ Parliaments ; to the Property and Liberty of the
 ‘ Subject, and Matters tending to Sedition, and of
 ‘ dangerous Consequence ; thereby establishing their
 ‘ own Usurpations, justifying their *Altar-worship*,
 ‘ and those other superstitious Innovations, which
 ‘ they formerly introduced without Warrant of Law.

‘ 86. They imposed a new Oath upon divers of
 ‘ his Majesty’s Subjects both *Ecclesiastical* and *Lay*,
 ‘ for Maintenance of their own Tyranny, and laid a
 ‘ great Tax upon the *Clergy* for Supply of his Ma-
 ‘ jesty, and generally they shewed themselves very
 ‘ affectionate to the War with *Scotland*, which was
 ‘ by some of them stiled *Bellum Episcopale*, and a
 ‘ Prayer composed, and enjoined to be read in
 ‘ Churches, calling the *Scots* Rebels, to put the two
 ‘ Nations in Blood, and make them irreconcilable.

‘ 87. All those pretended *Canons* and *Constitutions*
 ‘ were armed with the several Censures of Suspension,
 ‘ Excommunication, Deprivation, by which they
 ‘ would have thrust out all the good Ministers, and
 ‘ most of the well affected People of the Kingdom,
 ‘ and left an easy Passage to their own Design of Re-
 ‘ conciliation with *Rome*. (23.)

‘ 88. The *Popish* Party enjoyed such Exemptions
 ‘ from *Penal* Laws, as amounted to a *Toleration*, be-
 ‘ sides many other Encouragements and Court Fa-
 ‘ vours.

REM. (23.) *The Commons carry Matters too far without doubt, when they impute to the whole Convocation of 1640 the Design of restoring Popery. This is not at all likely, supposing it were true, that some of the Bishops had formed such a Project, which was never well proved.**

* It is observable, that this very Convocation censured Goodman Bishop of Gloucester for favouring Popery.

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‘ 89. They had a Secretary of State, Sir *Francis Windebank*, a powerful Agent for speeding all their Desires.

‘ 90. A Pope’s Nuncio residing here, to act and govern them according to such Influences as he received from *Rome*, and to intercede for them with the most powerful Concurrence of the foreign Princes of that Religion.

‘ 91. By his Authority the *Papists* of all sorts, Nobility, Gentry, and Clergy were convoked after the manner of a Parliament.

‘ 92. New Jurisdictions were erected of *Romish* Archbishops, Taxes levied, another State moulded within this State independent in Government, contrary in Interest and Affection, secretly corrupting the ignorant or negligent Professors of our Religion, and closely uniting and combining themselves against such as were found in this Posture, waiting for an Opportunity by force to destroy those whom they could not hope to seduce.

‘ 93. For the effecting whereof, they were strengthened with Arms and Munition, encouraged by superstitious Prayers, enjoined by the Nuncio, to be weekly made for the Prosperity of some great Design.

‘ 94. And such Power had they at Court, that secretly a Commission was issued out, or intended to be issued to some great Man of that Profession, for the levying of Soldiers, and to command and employ them according to private Instructions, which we doubt were framed for the Advantage of those who were the Contrivers of them.

‘ 95. His Majesty’s Treasure was consumed, his Revenue anticipated.

‘ 96. His Servants and Officers compelled to lend great Sums of Money.

‘ 97. Multitudes were called to the Council-Table, who were tired with long Attendances there for refusing illegal Payments.

‘ 98. The

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‘ 98. The Prisons were filled with their Commit-
‘ ments: Many of the *Sheriffs* summoned into the
‘ *Star-Chamber*; and some imprisoned for not being
‘ quick enough in levying the *Ship-Money*, the Peo-
‘ ple languished under Grief and Fear, no visible
‘ Hope being left but in Desperation.

‘ 99. The Nobility began to be weary of their
‘ Silence and Patience, and sensible of the Duty
‘ and Trust which belongs to them; and thereupon
‘ some of the most antient of them did petition his
‘ Majesty at such a Time, when evil Counsellors were
‘ so strong, that they had occasion to expect more
‘ hazard to themselves, than redress of those publick
‘ Evils for which they interceded.

‘ 100. Whilst the Kingdom was in this Agitation
‘ and Distemper, the *Scots* restrained in their Trades,
‘ impoverished by the Loss of many of their Ships,
‘ bereaved of all Possibility of satisfying his Majesty
‘ by any naked Supplications, entered with a power-
‘ ful Army into the Kingdom, and without any
‘ hostile Act or Spoil in the Country they passed,
‘ more than forcing a Passage over the *Tyne* at *New-*
‘ *burne* near *Newcastle*, possessed themselves of *New-*
‘ *castle*; and had a fair Opportunity to press on fur-
‘ ther upon the King’s Army.

‘ 101. But Duty and Reverence to his Majesty,
‘ and brotherly Love to the *English* Nation, made
‘ them stay there, whereby the King had leisure to
‘ entertain better Counsels.

‘ 102. Wherein God so blessed and directed him,
‘ that he summoned the great Council of Peers to
‘ meet at *York* upon the 24th of *September*, and there
‘ declared a Parliament, to begin the 3d of *Novem-*
‘ *ber* then following.

‘ 103. The *Scots* the first Day of the Great Council
‘ presented an humble *Petition* to his Majesty, where-
‘ upon the Treaty was appointed at *Rippon*.

‘ 104. A present Cessation of Arms agreed up-
‘ on, and the full Conclusion of all Differences

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‘ referred to the Wisdom and Care of the Parliament. (24.)

‘ 105. At our first Meeting, all Oppositions seemed to vanish, the Mischiefs were so evident, which those evil Counsellors produced, that no Man durst stand up to defend them, yet the Work itself afforded Difficulty enough.

‘ 106. The multiplied Evils and Corruptions of Sixteen Years, strengthened by Custom and Authority, and the concurrent Interest of many powerful *Delinquents*, were now to be brought to Judgment and Reformation.

‘ 107. The King’s Household was to be provided for; they had brought him to that Want, that he could not supply his ordinary and necessary Expences without the Assistance of his People.

‘ 108. Two Armies were to be paid, which amounted very near to Eighty Thousand Pounds a Month.

‘ 109. The People were to be tenderly charged, having been formerly exhausted with many burthenfome Projects.

‘ 110. The Difficulties seemed to be insuperable, which by the Divine Providence we have overcome: The Contrarieties incompatible, which yet in a great measure we have reconciled.

‘ 111. Six Subsidies have been granted, and a *Bill* of *Poll-Money*, which if it be duly levied, may equal Six Subsidies more, in all Six Hundred Thousand Pounds.

REM. (24.) *The Commons take for granted, that as the Scots had petitioned the King to redress their Grievances with the Advice of the Parliament of England, and as on that occasion the King had called a Parliament, this was a tacit Consent of the two Parties to leave Things to the Parliament of England. But this is only a Supposition; for there was no Agreement to refer Matters to the Parliament.*

‘ 112. Besides,

‘ 112. Besides we have contracted a Debt to the
‘ *Scots* of Two Hundred and Twenty Thousand
‘ Pounds; yet God hath blessed the Endeavours of
‘ this Parliament, that the Kingdom is a great Gainer
‘ by all these Charges.

‘ 113. The *Ship-Money* is abolished, which cost
‘ the Kingdom above Two Hundred Thousand
‘ Pounds a Year.

‘ 114. The *Coat and Conduct-Money*, and other
‘ military Charges are taken away, which in many
‘ Counties amounted to little less than the *Ship-*
‘ *Money*.

‘ 115. The *Monopolies* are all suppressed, whereof
‘ some few did prejudice the Subject above a Million
‘ yearly.

‘ 116. The Soap an Hundred Thousand Pounds.

‘ 117. The Wine Three Hundred Thousand
‘ Pounds.

‘ 118. The Leather must needs exceed both, and
‘ Salt could be no less than that.

‘ 119. Besides the inferior *Monopolies*, which if
‘ they could be exactly computed, would make up a
‘ great Sum.

‘ 120. That which is more beneficial than all this
‘ is, that the Root of these Evils is taken away,
‘ which was the Arbitrary Power pretended to be in
‘ his Majesty, of taxing the Subject, or charging
‘ their Estates without Consent in Parliament, which
‘ is now declared to be against Law by the Judgment
‘ of both *Houses*, and likewise by an *Act* of Parlia-
‘ ment.

‘ 121. Another Step of great Advantage is this,
‘ the living Grievances, the evil Counsellors and
‘ Actors of these Mischiefs have been so quelled,

‘ 122. By the Justice done upon the Earl of *Straf-*
‘ *ford*, the Flight of the Lord *Finch* and Secretary
‘ *Windebank*,

‘ 123. The Accusation and Imprisonment of the
‘ Archbishop of *Canterbury*, of Judge *Bartlet*;
‘ And,

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‘ 124. The Impeachment of divers other Bishops
‘ and Judges, that it is like not only to be an ease
‘ to the present Times, but a Preservation to the fu-
‘ ture.

‘ 125. The Discontinuance of Parliaments is pre-
‘ vented by the *Bill* for a *Triennial* Parliament, and
‘ the abrupt Dissolution of this Parliament by ano-
‘ ther *Bill*, by which it is provided, that it shall not
‘ be dissolved or adjourned without the Consent of
‘ both *Houses*.

‘ 126. Which two Laws well considered, may be
‘ thought more advantageous than all the former,
‘ because they secure a full Operation of the present
‘ Remedy, and afford a perpetual Spring of Reme-
‘ dies for the future.

‘ 127. The *Star-Chamber*.

‘ 128. The *High-Commission*.

‘ 129. The Courts of the President and Council
‘ in the *North* were so many Forges of Misery, and
‘ Oppression, and Violence, and are all taken away,
‘ whereby Men are more secured in their Persons,
‘ Liberties and Estates, than they could by any Law
‘ or Example, for the Regulation of those Courts of
‘ Terror of the Judges.

‘ 130. The immoderate Power of the Council-
‘ Table, and the excessive Abuse of that Power is so
‘ ordered and restrained, that we may well hope that
‘ no such things as were frequently done by them,
‘ to the Prejudice of the publick Liberty, will ap-
‘ pear in future Times but only in Stories, to give
‘ us and our Posterity more occasion to praise God
‘ for his Majesty’s Goodness, and the faithful Endea-
‘ vours of this Parliament.

‘ 131. The *Canons* and power of *Canon-making* are
‘ blasted by the *Votes* of both *Houses*.

‘ 132. The exorbitant Power of Bishops and their
‘ Courts are much abated, by some Provisions in the
‘ *Bill* against the *High-Commission* Courts, the Au-
‘ thors of the many Innovations in *Doctrine* and Ce-
‘ remonies.

‘ 133. The Ministers that have been scandalous in
‘ their Lives, have been so terrified in just Com-
‘ plaints and Accusations, that we may well hope
‘ they will be more modest for the Time to come;
‘ either inwardly convicted by the Sight of their own
‘ Folly, or outwardly restrained by the Fear of Pu-
‘ nishment.

‘ 134. The *Forests* are by a good Law reduced to
‘ their right Bounds.

‘ 135. The Encroachments and Oppressions of the
‘ *Stannery-Courts*, the Extortions of the *Clerk* of the
‘ Market;

‘ 136. And the Compulsion of the Subject, to re-
‘ ceive the Order of *Knighthood* against his Will, pay-
‘ ing of Fines for not receiving it; and the vexatious
‘ Proceedings thereupon for levying of those *Fines*,
‘ are by other beneficial Laws reformed and pre-
‘ vented.

‘ 137. Many excellent Laws and Provisions are in
‘ preparation for removing the inordinate Power,
‘ Vexation and Usurpations of Bishops; for reform-
‘ ing the Pride and Idleness of many of the *Clergy*;
‘ for easing the People of unnecessary Ceremonies in
‘ Religion; for censuring and removing unworthy
‘ and unprofitable Ministers, and for maintaining
‘ godly and diligent Preachers through the King-
‘ dom.

‘ 138. Other things of main Importance for the
‘ good of this Kingdom are in Proposition, though
‘ little could hitherto be done in regard of the many
‘ other more pressing Businesses, which yet before
‘ the End of this Session we hope may receive some
‘ Progress and Perfection.

‘ 139. The establishing and ordering the King’s
‘ Revenue, that so the Abuse of Officers, and Super-
‘ fluity of Expences may be cut off, and the necessary
‘ Disbursements for his Majesty’s Honour, the De-
‘ fence and Government of the Kingdom may more
‘ certainly be provided for.

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‘ 140. The regulating of Courts of Justice, and
‘ abridging both the Delays and Charges of Law-
‘ Suits.

‘ 141. The settling of some good Courses for pre-
‘ venting the Exportation of Gold and Silver, and
‘ the Inequality of Exchanges betwixt us and other
‘ Nations, for the advancing of native Commodities,
‘ encrease of our Manufactures, and well-ballancing
‘ of Trade, whereby the Stock of the Kingdom may
‘ be encreased, or at least kept from impairing, as
‘ through neglect hereof it hath done for many Years
‘ last past.

‘ 142. Improving the Herring-Fishing upon our
‘ own Coasts, which will be of mighty use in the Em-
‘ ployment of the Poor, and a plentiful Nursery of
‘ Mariners, for enabling the Kingdom in any great,
‘ Action.

‘ 143. The Oppositions, Obstructions, and other
‘ Difficulties wherewith we have been encountered,
‘ and which still lie in our way with some Strength
‘ and much Obstinacy, are these; the malignant Party
‘ whom we have formerly described to be Actors and
‘ Promoters of all our Misery, they have taken
‘ heart again:

‘ 144. They have been able to prefer some of their
‘ own Factors and Agents to Degrees of Honour, to
‘ Places of Trust and Employment, even during the
‘ Parliament:

‘ 145. They have endeavoured to work in his Ma-
‘ jesty ill Impressions and Opinions of our Proceed-
‘ ings, as if we had altogether done our own Work,
‘ and not his; and had obtained from him many
‘ things very prejudicial to the Crown, both in respect
‘ of Prerogative and Profit.

‘ 146. To wipe out this Slander, we think good
‘ only to say thus much; That all that we have done
‘ is for his Majesty, his Greatness, Honour and
‘ Support, when we yield to give Twenty-five
‘ Thousand Pound a Month for the Relief of the
northern

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‘ northern Counties ; this was given to the King, for
‘ he was bound to protect his Subjects.

‘ 147. They were his Majesty’s evil Counsellors,
‘ and their ill Instruments that were Actors in those
‘ Grievances which brought in the *Scots*.

‘ 148. And if his Majesty please to force those
‘ who were the Authors of this War to make Satis-
‘ faction, as he might justly and easily do, it seems
‘ very reasonable that the People might well be ex-
‘ cused from taking upon them this Burden, being
‘ altogether innocent, and free from being any Cause
‘ of it.

‘ 149. When we undertook the Charge of the
‘ Army, which cost above 50000 *l.* a Month, was
‘ not this given to the King ? Was it not his Majes-
‘ ty’s Army ? Were not all the Commanders under
‘ Contract with his Majesty at higher Rates, and
‘ greater Wages than ordinary ?

‘ 150. And have not we taken upon us to dis-
‘ charge all the brotherly Assistance of three Hun-
‘ dred Thousand Pounds, which we gave the *Scots* ?
‘ Was it not toward Repair of those Damages and
‘ Losses which they received from the King’s Ships
‘ and from his Ministers ?

‘ 151. These three Particulars amount to above
‘ eleven Hundred Thousand Pound.

‘ 152. Besides his Majesty hath received by Im-
‘ positions upon Merchandise, at least four Hundred
‘ Thousand Pounds.

‘ 153. So that his Majesty hath had out of the
‘ Subjects Purse since the Parliament began, one
‘ Million and a half ; and yet these Men can be so
‘ impudent as to tell his Majesty, that we have done
‘ nothing for him.

‘ 154. As to the second Branch of this Slander, we
‘ acknowledge with much Thankfulness, that his
‘ Majesty hath passed more good *Bills* to the Advan-
‘ vantage of the Subjects, than have been in many
‘ Ages.

‘ 155. But

1941.

‘ 155. But withal, we cannot forget that those venomous Counsels did manifest themselves in some Endeavours to hinder these good *Acts*.

‘ 156. And for both *Houses* of Parliament we may with Truth and Modesty say thus much: That we have ever been careful not to desire any Thing that should weaken the Crown either in just Profit or useful Power.

‘ 157. The *Triennial* Parliament for the Matter of it, doth not extend to so much, as by Law we ought to have required, there being two *Statutes* still in force for a Parliament to be once a Year (25), and for the Manner of it, it is in the King’s Power, that it shall never take Effect, if he by a timely Summons shall prevent any other way of assembling (26).

‘ 158. In the *Bill* for Continuance of this present Parliament, there seems to be some Restraint of the Royal Power in dissolving of Parliaments, not to take it out of the Crown, but to suspend the Execution of it for this Time and Occasion only; which was so necessary for the King’s own Security, and the publick Peace, that without it we could not have undertaken any of these great Charges, but must have left both the Armies to Disorder, and Confusion, and the whole Kingdom to Blood and Rapine.

‘ 159. The *Star-Chamber* was much more fruitful in Oppression than in Profit, the great *Fines* being for the most part given away, and the rest stalled at long Times.

REM. (25). *But these Statutes were grown obsolete by being disused, like that of Edward II, on which the King proceeded to compel People to receive the Order of Knighthood.*

REM. (26). *The Commons might have said, that he was himself the Cause of this Act, for having omitted to call a Parliament in twelve Years.*

‘ 160. The

‘ 160. The *Fines* of the *High-Commission* were in
‘ themselves unjust, and seldom or never came into
‘ the King’s Purse. These four *Bills* are particularly
‘ and more specially instanced.

‘ 161. In the rest there will not be found so
‘ much as a Shadow of Prejudice to the Crown.

‘ 162. They have sought to diminish our Repu-
‘ tation with the People, and to bring them out of
‘ Love with Parliaments.

‘ 163. The Aspersions which they have attempted
‘ this way have been such as these.

‘ 164. That we have spent much Time and done
‘ little, especially in those Grievances which concern
‘ Religion.

‘ 165. That the Parliament is a Burthen to the
‘ Kingdom by the abundance of Protections which
‘ hinder Justice and Trade, and by many Subsidies
‘ granted much more heavy than any formerly en-
‘ dured.

‘ 166. To which there is a ready Answer, if the
‘ time spent in this Parliament, be considered in Re-
‘ lation backward to the long Growth and deep Root
‘ of these Grievances which we have removed, to
‘ the powerful Supports of those Delinquents, which
‘ we have pursued, to the great Necessities and o-
‘ ther Charges of the Commonwealth, for which we
‘ have provided.

‘ 167. Or if it be considered in relation forward
‘ to many Advantages, which not only the present,
‘ but future Ages are like to reap by the good Laws
‘ and other Proceedings in this Parliament; we doubt
‘ not but it will be thought by all indifferent Judg-
‘ ments, that our Time hath been much better em-
‘ ployed, than in a far greater Proportion of Time
‘ in many former Parliaments put together, and the
‘ Charges which have been laid upon the Subject,
‘ and the other Inconveniencies which they have born,
‘ will seem very light in respect of the Benefit they
‘ have and may receive.

‘ 168. And

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‘ 168. And for the Matter of Protection, the
 ‘ Parliament is so sensible of it, that therein they in-
 ‘ tended to give them whatsoever Ease may stand
 ‘ with Honour and Justice, and are in a way of
 ‘ passing a *Bill* to give them Satisfaction.

‘ 169. They have sought by many subtle Practices
 ‘ to cause Jealousies and Divisions betwixt us and our
 ‘ Brethren of *Scotland*, by slandering their Proceed-
 ‘ ings and Intentions toward us, and by secret En-
 ‘ deavours to instigate and incense them and us one
 ‘ against another.

‘ 170. They have had such a Party of Bishops
 ‘ and *Popish* Lords in the *House* of Peers, as hath
 ‘ caused much Opposition and Delay in the Prosecu-
 ‘ tion of Delinquents, hindered the Proceedings of
 ‘ divers good *Bills* passed in the *Commons* House, con-
 ‘ cerning the Reformation of sundry great Abuses
 ‘ and Corruptions both in Church and State.

‘ 171. They have laboured to seduce and corrupt
 ‘ some of the *Commons* House, to draw them into
 ‘ Conspiracies and Combinations against the Liberty
 ‘ of the Parliament.

‘ 172. And by their Instruments and Agents, they
 ‘ have attempted to disaffect and discontent his Ma-
 ‘ jesty’s Army; and to engage it for the Maintain-
 ‘ ance of their wicked and trayterous Designs; the
 ‘ keeping up of Bishops in *Votes* and Functions, and
 ‘ by force to compel the Parliament to order, limit
 ‘ and dispose their Proceedings in such manner as
 ‘ might best concur with the Intentions of this dan-
 ‘ gerous and potent Faction.

‘ 173. And when one mischievous Design and At-
 ‘ tempt of theirs to bring on the Army against the
 ‘ Parliament, and the City of *London* hath been dis-
 ‘ covered and prevented,

‘ 174. They presently undertook another of the
 ‘ same damnable Nature, with this Addition to it,
 ‘ to endeavour to make the *Scotish* Army neutral,
 ‘ whilst the *English* Army, which they had laboured
 ‘ to corrupt and invenom against us, by their false

‘ and

‘ and slanderous Suggestions, should execute their
 ‘ Malice to the Subversion of our Religion, and the
 ‘ Dissolution of our Government.

‘ 175. Thus they have been continually practising
 ‘ to disturb the Peace, and plotting the Destruction
 ‘ even of all the King’s Dominions; and have em-
 ‘ ployed their Emissaries, and Agents in them, all
 ‘ for the promoting their devilish Designs, which the
 ‘ Vigilancy of those who were well affected hath
 ‘ still discovered and defeated before they were ripe
 ‘ for Execution in *England* and *Scotland*.

‘ 176. Only in *Ireland* which was farther off, they
 ‘ have had Time and Opportunity to mould and pre-
 ‘ pare their Work, and had brought it to that Per-
 ‘ fection, that they had possessed themselves of that
 ‘ whole Kingdom, totally subverted the Government
 ‘ of it, rooted out Religion, and destroyed all the
 ‘ *Protestants* whom the Conscience of their Duty to
 ‘ God, their King and Country, would not have
 ‘ permitted to join with them, if by God’s wonder-
 ‘ ful Providence their main Enterprize upon the City
 ‘ and Castle of *Dublin* had not been detected and
 ‘ prevented upon the very *Eve* before it should have
 ‘ been executed.

‘ 177. Notwithstanding they have in other Parts
 ‘ of the Kingdom broken out into open Rebellion,
 ‘ surprising Towns and Castles, committed Murders,
 ‘ and Rapes, and other Villainies, and shaken off all
 ‘ Bonds of Obedience to his Majesty and the Laws of
 ‘ the Realm (27).

REM. (27). *The Commons in these two last Particulars, consider the malignant Party of England as the principal Authors of the Irish Rebellion, and artfully confound whatever had been done in England for fifteen Years, and the Massacre of Ireland in 1641, under the same Idea, as proceeding from the same Source, which was never well proved.*

‘ 178.

1647.

‘ 178. And in general have kindled such a Fire,
 ‘ as nothing but God’s infinite Blessing upon the
 ‘ Wisdom and Endeavours of this State will be able
 ‘ to quench.

‘ 179. And certainly had not God, in his great
 ‘ Mercy unto this Land, discovered and confounded
 ‘ their former Designs, we had been the Prologue
 ‘ to this Tragedy in *Ireland*, and had by this been
 ‘ made the lamentable Spectacle of Misery and
 ‘ Confusion.

‘ 180. And now what hope have we but in God,
 ‘ when as the only Means of our Subsistence and
 ‘ Power of Reformation is under him in the Parlia-
 ‘ ment?

‘ 181. But what can we the *Commons*, without the
 ‘ Conjunction of the House of Lords, and what Con-
 ‘ junction can we expect there, when the Bishops
 ‘ and Recusant Lords are so numerous, and preva-
 ‘ lent, that they are able to cross, and interrupt our
 ‘ best Endeavours for Reformation, and by that
 ‘ means give Advantage to this malignant Party, to
 ‘ traduce our Proceedings?

‘ 182. They infuse into the People, that we mean
 ‘ to abolish all Church-Government, and leave every
 ‘ Man to his own Fancy, for the Service and Worship
 ‘ of God, absolving him of that Obedience which he
 ‘ owes under God unto his Majesty; whom we know
 ‘ to be intrusted with the *Ecclesiastical Law*, as well
 ‘ as with the *Temporal*, to regulate all the Members
 ‘ of the Church of *England*, by such Rule of Order and
 ‘ Discipline as are established by Parliament; which is
 ‘ his great Council, in all Affairs both in Church and
 ‘ State (28.)

‘ 183. We

REM. (28.) *It is true, the Commons declare here, that their Intention is not to set up an Independency in Matter of Religion. But as to what relates to the Government of the Church they speak obscurely, be-
 cause*

• 183. We confess our Intention is, and our Endeavours have been to reduce within Bounds that exorbitant Power, which the Prelates have assumed unto themselves, so contrary both to the Word of God, and to the Laws of the Land ; to which end we passed the *Bill* for the removing them from their Temporal Power and Employments ; that so the better they might with Meekness apply themselves to the discharge of their Functions ; which *Bill* themselves opposed, and were the Principal Instruments of crossing it.

• 184. And we do here declare, that it is far from our Purpose or Desire, to let loose the Golden Reins of Discipline and Government in the Church, to leave private Persons, or particular Congregations to take up what Form of Divine Service they please ; for we hold it requisite there should be throughout the whole Realm a Conformity to that Order which the Laws enjoin according to the Word of God (29). And we desire to unburthen the Consciences of Men of needless and superstitious Ceremonies, suppress Innovations, and take away the Monuments of Idolatry.

• 185. And the better to effect the intended Reformation, we desire there may be a General Synod of the most grave, pious, learned, and judicious Divines of this Island ; assisted with some from foreign Parts, professing the same Religion with us ; who may consider of Things necessary for the Peace and good Government of the Church, and

cause it was not yet time to declare their Minds more openly. They are contented with laying down, that the King ought to take the Parliament's Advice in the Affairs of the Church, a Maxim they intended to make great use of.

REM. (29.) Great Use was afterwards made of this Restriction, according to the Word of God, to introduce greater Alterations than those mentioned in this Article.

represent

1461.

‘ represent the Results of their Consultations unto
 ‘ the Parliament, to be there allowed of and con-
 ‘ firmed and receive the Stamp of Authority, there-
 ‘ by to find Passage and Obedience throughout the
 ‘ Kingdom (30).

‘ 186. They have maliciously charged us, that we
 ‘ intend to destroy and discourage Learning, whereas
 ‘ it is our chiefest Care and Desire to advance it, and
 ‘ to provide a competent Maintainance for conscion-
 ‘ able and preaching Ministers throughout the King-
 ‘ dom, which will be a great Encouragement to
 ‘ Scholars, and a certain Means whereby the Want,
 ‘ Meanness and Ignorance, to which a great Part
 ‘ of the *Clergy* is now subject, will be prevented.

‘ 187. And we intend likewise to reform, and
 ‘ purge the Fountains of Learning, the two Univer-
 ‘ sities, that the Streams flowing from thence may be
 ‘ clear and pure, and an Honour and Comfort to
 ‘ the whole Land (31).

‘ 188. They have strained to blast our Proceedings
 ‘ in Parliament, by wresting the Interpretations of
 ‘ our Orders from their genuine Intention.

‘ 189. They tell the People that our meddling
 ‘ with the Power of Episcopacy, hath caused Sec-
 ‘ taries and Conventicles, when Idolatry and *Popish*
 ‘ Ceremonies introduced into the Church by the com-

*REM. (30.) The Commons discover here more
 fully their Intentions, in that, 1. It does not appear
 that they would admit Bishops into this Synod. 2. In
 that they would have it to consist of Divines of the I-
 sland, and consequently of Scots who were all Presby-
 terians, and foreign Ministers who were so too.*

*REM. (31.) It is certain, at the time this Re-
 monstrance was published, the Resolution of abolishing
 the Ecclesiastical Hierarchy was already taken, though
 it was not yet openly declared. So likewise the Design to
 purge the two Universities was executed, by turning out
 the Heads and Professors of the Church of England,
 and putting in Presbyterians in their Rooms.*

‘ mand

‘ mand of the Bishops, have not only debarred the
‘ People from thence, but expelled them from the
‘ Kingdom.

‘ 190. Thus with *Eliab*, we are called by this ma-
‘ lignant Party the Troublers of the State, and still
‘ while we endeavour to reform their Abuses, they
‘ make us the Authors of those Mischiefs we study
‘ to prevent.

‘ 191. For the perfecting of the Work begun,
‘ and removing all future Impediments, we conceive
‘ these Courses will be very effectual, seeing the Re-
‘ ligion of the *Papists* hath such Principles as do cer-
‘ tainly tend to the Destruction and Extirpation of
‘ all *Protestants* when they shall have Opportunity
‘ to effect it.

‘ 192. It is necessary in the first Place to keep
‘ them in such Condition, as that they may not be
‘ able to do us any hurt, and for avoiding of such
‘ Connivance and Favour as hath heretofore been
‘ shewed unto them.

‘ 193. That his Majesty be pleased to grant a
‘ standing Commission to some choice Men named
‘ in Parliament, who may take notice of their in-
‘ crease, their Counsels and Proceedings, and use all
‘ due means by the Execution of the Laws, to pre-
‘ vent all mischievous Designs against the Peace and
‘ Safety of this Kingdom.

‘ 194. And that some good Course be taken to
‘ discover the Counterfeit and false Conformity of
‘ *Papists* to the Church, by Colour whereof Persons
‘ very much disaffected to the true Religion, have
‘ been admitted into Places of greatest Authority and
‘ Trust in the Kingdom.

‘ 195. For the better Preservation of the Laws
‘ and Liberties of the Kingdom, that all illegal Grie-
‘ vances and Exactions be presented and punished at
‘ the *Sessions* and *Affizes*.

‘ 196. And that Judges and Justices be very care-
‘ ful to give this in Charge to the *Grand Juries*, and
‘ both the *Sheriff* and *Justices* to be sworn to the
‘ due

[1641. ' due Execution of the *Petition of Right*, and other
' Laws.

' 197. That his Majesty be humbly petitioned by
' both Houses, to employ such Counsellors, Am-
' bassadors, and other Ministers in managing his Bu-
' siness at Home and Abroad, as the Parliament may
' have Cause to confide in, without which we cannot
' give his Majesty such Supplies for support of his
' own Estate, nor such Assistance to the Protestant
' Party beyond the Sea as is desired.

' 198. It may often fall out, that the *Commons*
' may have just Cause to take Exceptions at some
' Men for being Counsellors, and yet not charge
' those Men with Crimes, for there be Grounds of
' Diffidence which lie not in proof.

' 199. There are others, which though they may
' be proved, yet are not legally criminal.

' 200. To be a known Favourer of *Papists*, or to
' have been very forward in defending or counte-
' nancing some great Offenders questioned in Parlia-
' ment; or to speak contemptuously of either
' Houses of Parliament, or parliamentary Proceed-
' ings. (32.)

' 201. Or such as are Factors or Agents for any
' foreign Prince of another Religion; such are justly
' suspected to get Counsellors Places, or any other
' of Trust, concerning publick Employment for
' Money; for all these and divers others we may
' have great Reason to be earnest with his Majesty,
' not to put his great Affairs into such Hands, though
' we may be unwilling to proceed against them in any
' legal way of Charge or Impeachment.

' 202. That all Counsellors of State may be sworn
' to observe those Laws which concern the Subject in
' his Liberty, that they may likewise take an Oath
' not to receive, or give Reward or Pension from
' any foreign Prince, but such as they shall in some

R E M. (32.) *It is something likely the Commons*
meant here the Lord Digby, Son to the Earl of Bristol.

*

' reasonable

‘ reasonable Time discover to the Lords of his Majesty’s Council.

‘ 203. And although they should wickedly forswear themselves, yet it may herein do good to make them known to be false and perjured to those who employed them, and thereby bring them into as little Credit with them as with us.

‘ 204. That his Majesty may have cause to be in love with good Counsel and good Men, by shewing him in an humble and dutiful Manner, how full of Advantage it would be to himself, to see his own Estate settled in a plentiful Condition to support his Honour; to see his People united in Ways of Duty to him, and Endeavours of the publick Good; to see Happiness, Wealth, Peace and Safety derived to his own Kingdom, and procured to his Allies by the Influence of his own Power and Government.”

It is easy to perceive, after reading this *Remonstrance* or *Declaration*, that it was a real *Manifesto* against the King, under the Name of the *Counsellors*, and *Ministers*, and *Malignants*. And therefore, before we proceed, it is reasonable to shew the Reader the King’s Answer to the *Petition*, which accompanied the *Remonstrance*, and then to the *Remonstrance* itself.

His MAJESTY’S Answer to the Petition, which accompanied the Declaration presented to him at Hampton-Court, December 1. 1641.

‘ **W**E having received from you, soon after our return out of Scotland, a long *Petition*, consisting of many Desires of great Moment, together with a *Declaration* of a very unusual Nature annexed thereunto, we had taken some time to
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‘ consider it, as befitted us in a Matter of that Con-
 ‘ sequence, being confident that your own Reason and
 ‘ Regard to us, as well as our express Intimation, by
 ‘ our *Comptroller*, to that purpose, would have re-
 ‘ strained you from publishing of it, till such time
 ‘ as you should have received our Answer to it; but
 ‘ much against our Expectation, finding the contrary,
 ‘ that the said Declaration is already abroad in print,
 ‘ by Directions from your *House*, as appears by the
 ‘ printed Copy, we must let you know, that we are
 ‘ *very sensible of the Disrespect.*

‘ Notwithstanding it is our Intention, that no failing
 ‘ on your part shall make us fail in *ours*, of giving
 ‘ all due Satisfaction to the Desires of our People
 ‘ in a parliamentary way; and therefore we send you
 ‘ this Answer to your *Petition*, reserving our self in
 ‘ point of the *Declaration*, which we think unparlia-
 ‘ mentary, and shall take a Course to do that which
 ‘ we shall think fit in Prudence and Honour.

‘ To the *Petition* we say, That although there are
 ‘ divers Things in the Preamble of it, which we are
 ‘ so far from admitting, that we profess we cannot at
 ‘ all understand them, as of a *wicked and malignant*
 ‘ *Party prevalent in the Government; of some of that*
 ‘ *Party admitted to our Privy-Council, and to other*
 ‘ *Employments of Trust, and nearest to us and our*
 ‘ *Children; of Endeavours to sow among the People*
 ‘ *false Scandals and Imputations, to blemish and disgrace*
 ‘ *the Proceedings of Parliament:* All, or any of
 ‘ which, did we know of, we should be as ready to
 ‘ remedy and punish, as you to complain of; so that
 ‘ the Prayers of your *Petition* are grounded upon such
 ‘ Premises, as we must in no wise admit; yet not-
 ‘ withstanding, we are pleased to give this Answer to
 ‘ you. (1.)

‘ To

REM. (1.) *This so general Answer of the King was not capable of combating the particular Facts, whereby the*

‘ To the first, concerning Religion, consisting of
 ‘ several Branches, we say, That for preserving the
 ‘ Peace and Safety of this Kingdom from the Designs
 ‘ of the *Popish* Party, we have, and will still concur
 ‘ with all the just Desires of our People in a parlia-
 ‘ mentary Way: (2.) That for the depriving of the
 ‘ Bishops of their *Votes* in Parliament, we would
 ‘ have you consider, that their Right is grounded up-
 ‘ on the *fundamental Law* of this Kingdom, and *Con-*
 ‘ *stitution* of Parliament: This we would have you
 ‘ consider; but since you desire our Concurrence
 ‘ herein in a parliamentary way, we will give no fur-
 ‘ ther Answer at this Time.

‘ As for the abridging of the inordinate Power of
 ‘ the Clergy, we conceive that the taking away the
 ‘ *Higb-Commission-Court* hath well moderated that;
 ‘ but if there continue any Usurpations or Excesses
 ‘ in their Jurisdictions, we therein neither have nor
 ‘ will protect them. (3.)

‘ Unto that Clause which concerneth Corruptions
 ‘ (as you stile them) in Religion, in Church-Gov-
 ‘ ernment, and in Discipline, and the removing of

*Commons pretended to prove in the Remonstrance, that
 several Years since, the Court or malignant Party had
 endeavoured to set up an arbitrary Government.*

R E M. (2.) *It is true, the King had never rejected
 the Petitions presented to him on this Occasion by the
 Parliament, but had always granted whatever was de-
 sired. But then it is no less true, that his Promises in this
 respect had never been executed. Wherefore the Parlia-
 ment did not complain of want of Concurrence, but of
 want of Performance. So the King's Answer as to his
 Concurrence was not properly to the purpose.*

R E M. (3.) *It would have been very difficult to
 agree with the King about what should be looked upon
 as Usurpations or Excesses in the Jurisdiction of the
 Clergy. So the King properly bound himself to nothing by
 this general Promise.*

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‘ such unnecessary *Ceremonies* as weak Consciences
 ‘ might check; that for any illegal Innovations
 ‘ which might have crept in, we shall willingly con-
 ‘ cur in the Removal of them: That if our Parlia-
 ‘ ment shall advise us to call a *National Synod*, which
 ‘ may duly examine such *Ceremonies* as give just
 ‘ Cause of Offence to any, we shall take it into
 ‘ Consideration, and apply our self to give due Sa-
 ‘ tisfaction therein (4.); but we are very sorry to
 ‘ hear in such general Terms, *Corruption* in Religion
 ‘ objected, since we are perswaded in our Conscience,
 ‘ that no Church can be found upon Earth that pro-
 ‘ fesseth the true Religion with more *Purity* of Doc-
 ‘ trine than the Church of *England* doth, nor where
 ‘ the Government and Discipline are jointly more
 ‘ beautiful, and free from Superstition, than as they
 ‘ are here established by Law; which by the Grace
 ‘ of God, we will with Constancy maintain (while
 ‘ we live) in their Purity and Glory, not only against
 ‘ all Invasions of *Popery*, but also from the Irreve-
 ‘ rence of those many *Schismatics* and *Separatists*,
 ‘ wherewith of late this Kingdom and this City a-
 ‘ bounds, to the great Dishonour and Hazard of this
 ‘ Church and State, for the Suppression of whom we
 ‘ require your timely Aid and active Assistance.

‘ To the second Prayer of the Petition, concerning
 ‘ Removal and Choice of Counsellors, we know not
 ‘ any of our Council to whom the Character set
 ‘ forth in the *Petition* can belong: That by those
 ‘ whom we had exposed to Trial, we have already
 ‘ given you sufficient Testimony, that there is no
 ‘ Man so near us in Place or Affection, whom we
 ‘ will not leave to the Justice of the Law, if you
 ‘ shall bring a particular Charge, and sufficient
 ‘ Proofs against him; and of this we do again assure
 ‘ you; but in the mean Time we wish you to for-
 ‘ bear such general Aspersions as may reflect upon

R E M. (4.) *Another general Answer which signifies*
nothing.

; all

‘ all our Council, since you name none in parti- 1641.
‘ cular.

‘ That for the Choice of our Counsellors and Mi-
‘ nisters of State, it were to debar us that natural Li-
‘ berty all Freemen have ; and it is the undoubted
‘ Right of the Crown of *England*, to call such Per-
‘ sons to our secret Councils, to publick Employ-
‘ ment and our particular Service, as we shall think
‘ fit ; so we are, and ever shall be very careful to
‘ make Election of such Persons in those Places of
‘ Trust, as shall have given good Testimonies of
‘ their Abilities and Integrity, and against whom
‘ there can be no just Cause of Exception, whereon
‘ reasonably to ground a Diffidence ; and to Choices
‘ of this Nature, we assure you that the Mediation
‘ of the nearest unto us hath always concurred. (5.)

‘ To the third Prayer of your *Petition* concerning
‘ *Ireland*, we understand your desire of not alienating
‘ the forfeited Lands thereof, to proceed from much
‘ Care and Love, and likewise that it may be a Re-
‘ solution very fit for us to take ; but whether it be
‘ seasonable to declare Resolutions of that Nature,
‘ before the Events of a War be seen, that we much
‘ doubt of. Howsoever, we cannot but thank you
‘ for this Care, and your chearful Engagement for
‘ the Suppression of that Rebellion ; upon the speedy
‘ effecting whereof, the Glory of God in the Pro-
‘ testant Profession, the Safety of the *British* there,
‘ our Honour, and that of the Nation so much de-
‘ pends ; all the Interests of this Kingdom being so
‘ involved in that Business, we cannot but quicken
‘ your Affections therein, and shall desire you to
‘ frame your Counsels, to give such Expedition to
‘ the Work, as the Nature thereof, and the Pressures
‘ in point of Time require ; and whereof you are
‘ put in mind by the daily Insolence and Increase of
‘ those Rebels.

REM. (5.) *He means the Queen.*

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‘ For Conclusion ; your Promise to apply your
 ‘ selves to such Courses as may support our Royal
 ‘ Estate with Honour and Plenty at Home, and
 ‘ with Power and Reputation Abroad, is that which
 ‘ we have ever promised our Self, both from your
 ‘ Loyalties and Affections, and also for what we have
 ‘ already done, and shall daily go adding unto, for
 ‘ the Comfort and Happiness of our People. ”

The Answer to the *Remonstrance* did not come forth till some time after ; for as far as I can conjecture, it was not sent to the *Commons* till about the Month of *January* 1641--2. I shall however insert it in this Place, as well not to divide this Matter, as that the Answer may be read before the *Remonstrance* is forgot.

*The King's DECLARATION in Answer
 to the REMONSTRANCE of the State
 of the Kingdom.*

*Answer to
 the Remon-
 strance.*

14th.

IV. *

Nelson II.

p. 746.

‘ **A**Lthough we do not believe that our House of
 ‘ Commons intended, by their Remonstrance
 ‘ of the State of the Kingdom, to put us to any
 ‘ Apology, either for our past or present Actions :
 ‘ Notwithstanding since they have thought it so very
 ‘ necessary (upon their Observations of the present
 ‘ Distemper) to publish the same, for the Satisfaction
 ‘ of all our loving Subjects, we have thought it very
 ‘ suitable to the Duty of our Place (with which God
 ‘ hath trusted us) to do our part to so good a Work,
 ‘ in which we shall not think it below our kingly Dig-
 ‘ nity to descend to any particular, which may com-
 ‘ pose and settle the Affections of our meanest Sub-
 ‘ jects, since we are so conscious to our self of such
 ‘ upright Intentions and Endeavours, and only of
 ‘ such

* This Declaration is not in *Rushworth*.

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‘ such (for which we give God thanks) for the Peace
 ‘ and Happines of our Kingdom, in which the Prof-
 ‘ perity of our Subjects must be included, that we
 ‘ wish from our Heart, that even our most secret
 ‘ Thoughts were published to their View and Exami-
 ‘ nation: Though we must confess, we cannot but
 ‘ be very sorry in this Conjunction of time, (when
 ‘ the Unhappines of this Kingdom is so generally
 ‘ understood Abroad) there should be such a Ne-
 ‘ cessity of publishing so many Particulars, from
 ‘ which, we pray, no Inconveniencies may ensue
 ‘ that were not intended.

‘ We shall in few words pass over that part of the
 ‘ Narrative, wherein the Misfortunes of this Kingdom
 ‘ from our first entring to the Crown, to the Begin-
 ‘ ning of this Parliament, are remembred in so sensi-
 ‘ ble Expressions. (1.) And that other which ac-
 ‘ knowledgeth the many good Laws passed by our
 ‘ Grace and Favour this Parliament, for the Security
 ‘ of our People; of which we shall only say thus
 ‘ much, That as we have not refused to pass any *Bill*
 ‘ presented to us by our Parliament, for redress of
 ‘ those Grievances mentioned in the *Remonstrance*; so
 ‘ we have not had a greater Motive for the passing
 ‘ those Laws than our own Resolution (grounded
 ‘ upon our Observation, and understanding the State
 ‘ of our Kingdom) to have freed our Subjects for
 ‘ the future, from those Pressures which were grie-
 ‘ vous to them if those Laws had not been pro-
 ‘ pounded, (2.) which therefore we shall as inviolably

REMARK (1.) *The King could not hardly own more frankly what is said in the Remonstrance, concerning the first Fifteen Years of his Reign, than by wholly passing it over without Answer.*

REM. (2.) *This is also a Confession that Grievances were justly complained of. The King says, his Resolution was to redress them, and it was not possible to convince him of the contrary. But after all, he was believed but by few Persons.*

‘ maintain,

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‘ maintain, as we look to have our own Rights pre-
 ‘ served, not doubting but that all our loving Sub-
 ‘ jects will look on these Remedies, with that full
 ‘ Gratitude and Affection, that even the Memory of
 ‘ what they have formerly undergone by the Acci-
 ‘ dents and Necessities of those Times, will not be
 ‘ unpleasant to them : And possibly in a pious Sense
 ‘ of God’s blessing upon the Nation (how little
 ‘ share soever we shall have of the Acknowledgment)
 ‘ they will confess they have enjoyed a great Mea-
 ‘ sure of Happiness (even those last sixteen Years)
 ‘ both in Peace and Plenty, not only comparatively
 ‘ in respect of their Neighbours, but even of those
 ‘ times which were justly accounted fortunate. The
 ‘ Fears and Jealousies which may make some Impres-
 ‘ sions in the Minds of our People, we will suppose
 ‘ may be of two sorts ; either for Religion, or Li-
 ‘ berty and their Civil Interest. The Fears for Re-
 ‘ ligion may haply be, not only as ours here esta-
 ‘ blished, may be invaded by the *Romish* Party, but
 ‘ as it is accompanied with some Ceremonies, at which
 ‘ some tender Consciences really are or pretend to be
 ‘ scandalized, for of any other which have been used,
 ‘ without any legal Warrant or Injunction, and al-
 ‘ ready are, or speedily may be abolished, we shall
 ‘ not speak.

‘ Concerning Religion, as there may be any suspi-
 ‘ cion of Favour or Inclinations to the *Papists*, we
 ‘ are willing to declare to all the World, That as we
 ‘ have been from our Childhood brought up in, and
 ‘ practised the Religion established in this Kingdom,
 ‘ so it is well known, we have (not contented simply
 ‘ with the Principles of our Education) given a
 ‘ good Proportion of our Time and Pains, to the Ex-
 ‘ amination of the Grounds of this Religion, as it is
 ‘ different from that of *Rome*, and are from our Soul
 ‘ so well satisfied and assured that it is the most pure
 ‘ and agreeable to the sacred Word of God, of any
 ‘ Religion now practised in the Christian World :
 ‘ That as we believe we can maintain the same by
 ‘ unanimera-

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‘ unanswerable Reasons, so we hope we should readily seal to it by the Effusion of our Blood, if it pleased God to call us to that Sacrifice. And therefore nothing can be so acceptable to us, as any Proposition which may contribute to the Advancement of it here, or the Propagation of it abroad, being the only Means to draw down a Blessing from God upon our Selves and this Nation. And we have been extremely unfortunate, if this Profession of ours be wanting to our People: Our constant practice in our own Person, having always been (without Ostentation) as much to the Evidence of our Care and Duty herein, as we could possibly tell how to express (3).

‘ For Differences among our selves, for Matters indifferent in their own Nature concerning Religion, we shall in Tenderness to any Numbers of our loving Subjects, very willingly comply with the Advice of our Parliament, that some Law may be made for the Exemption of tender Consciences from Punishment, or Prosecution for such Ceremonies, and in such Cases which by the Judgment of most Men, are held to be Matters indifferent, and of some to be absolutely unlawful. Provided that this Ease be attempted and preserved with that Modesty, Temper, and Submission, that in the mean

REM. (3). *The Remonstrance did not accuse the King of being a Papist in his Heart, but of having countenanced the Catholicks, by not putting the Laws in Execution against them. He clears himself here from having any Inclinations to the Romish Religion, and leaves the Consequence to be drawn, that since he is perswaded of the Truth of the Protestant Religion, it is not possible he should encourage the Roman. But his Conduct had shown that this Consequence did not necessarily follow, since it was notorious that he had countenanced the Papists, from the beginning of his Reign, whether out of Complaisance to the Queen, or from some Political Views.*

‘ time

1641. ' time the Peace and Quiet of the Kingdom be not
 ' disturbed, the decency and comeliness of God's Ser-
 ' vice discountenanced, nor the pious, sober, and
 ' dextout Actions of those Reverend Persons who
 ' were the first Labourers in the blessed Reformation,
 ' or of that Time, be scandalized and defamed (4),
 ' for we cannot without Grief of Heart, and with-
 ' out some Tax upon our Self, and our Ministers,
 ' for the not Execution of our Laws, look upon the
 ' bold Licence of some Men, in printing of Pam-
 ' phlets, in preaching and printing of Sermons, so
 ' full of Bitterness and Malice against the present
 ' Government, against the Laws established, so full
 ' of Sedition against our Self, and the Peace of the
 ' Kingdom, that we are many times amazed to con-
 ' sider by what Eyes these Things are seen, and by
 ' what Ears they are heard. And therefore we have
 ' good Cause to command as we have done, and
 ' hereby do, all our Judges and Ministers of Justice,
 ' our Attorney and Sollicitor-General, and the rest
 ' of our learned Council, to proceed with all speed a-
 ' gainst such, and their Abettors, who either by
 ' Writing or Words, have so boldly and maliciously
 ' violated the Laws, disturbed the Peace of the
 ' Common-wealth, and as much as in them lies,
 ' shaken the very Foundation upon which that Peace
 ' and Happiness is founded and constituted. And we
 ' doubt not but all our loving Subjects will be very
 ' sensible that this busie, virulent Demeanour, is a
 ' fit Prologue to nothing but Confusion; and if not
 ' very seasonably punished and prevented, will not
 ' only be a blemish to that wholesome Accommoda-
 ' tion we intend, but an unspeakable Scandal and
 ' Imputation,

REM. (4) *The King was not in the wrong to support the established Worship, and to account as an Indulgence what ever should be granted to tender Consciences. But after all, this Indulgence was confined to a very small Matter, if we consider all the Limitations contained in this Article.*

‘ Imputation, even upon the Profession and Religion
‘ of this our Kingdom.

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‘ Concerning the Civil Liberties and Interests of
‘ our Subjects, we shall need to say the less, having
‘ erected so many lasting Monuments of our Prince-
‘ ly and Fatherly Care of our People, in whose ma-
‘ ny excellent Laws, passed by us this Parliament,
‘ which in Truth (with very much Content to our
‘ Self,) we conceive to be so large and ample, that
‘ very many sober Men have very little left to wish
‘ for.

‘ We understand well the Right, and Pretences
‘ of Right, we departed from in the consenting to
‘ the *Bills* of the *Triennial* Parliament, for the Con-
‘ tinuance of this present Parliament, and in the Pre-
‘ amble to the *Bill* of Tonnage and Poundage. The
‘ Matter of which having begot so many Disturban-
‘ ces in late Parliaments, we were willing to remove,
‘ that no Interest of ours might hereafter break that
‘ Correspondence, abundantly contenting our Self,
‘ with an Assurance (which we still have) that we
‘ should be repaired and supplied by a just Propor-
‘ tion of Confidence, Bounty and Obedience of our
‘ People. In the *Bills* for taking away the *High-Com-*
‘ *mission* and *Star-Chamber* Courts, we believed we
‘ had given that real Satisfaction, that all Jealousies
‘ and Apprehensions of Arbitrary Pressures under
‘ the Civil and Ecclesiastical State, would easily have
‘ been abandoned, especially when they saw all possi-
‘ ble doubts secured by the Visitation of a *Triennial*
‘ Parliament.

‘ These and others of no mean Consideration, we
‘ had rather should be valued in the Hearts and Af-
‘ fections of our People, than in any mention of our
‘ own; not doubting, but as we have taken all these
‘ Occasions to render their Condition most comfort-
‘ able and happy, so they will always in a grateful
‘ and dutiful Relation, be ready with equal Tender-
‘ ness and Alacrity to advance our Rights, and pre-
‘ serve our Honour, upon which their own Securi-

‘ ty

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ty and Subsistance so much depends. And we will be so careful, that no particular shall be presented to us, for the compleating and establishing that Security to which we will not with the same readiness contribute our best Assistance.

If these Resolutions be the Effects of our present Counsels (and we take God to Witness, that they are such, and that all our loving Subjects may confidently expect the Benefit of them from us,) certainly no ill Design upon the Publick can accompany such Resolutions, neither will there be greater Cause of Suspicion of any Persons preferred by us to Degrees of Honour, and Places of Trust and Employment since this Parliament. And we must confess, that amongst our Misfortunes, we reckon it not the least, that having not retained in our Service, nor protected any one Person, against whom our Parliament hath excepted, during the whole sitting of it, and having in all that time scarce vouchsafed to any Man an Instance of our Grace and Favour, but to such who were under some eminent Character of Estimation among our People, there should so soon be any Mis-understanding or Jealousie of their Fidelity and Uprightness, especially in a Time when we take all Occasions to declare, that we conceive our Self only capable of being served by honest Men, and in honest Ways. However, if in Truth we have been mistaken in such our Election, the Particular shall be no sooner discovered to us, either by our own Observation, or other certain Information, than we will leave them to publick Justice, under the Marks of our Displeasure.

If notwithstanding this, any malignant Party shall take Heart, and be willing to sacrifice the Peace and Happiness of their Country to their own sinister Ends and Ambitions, under what pretence of Religion and Conscience soever; If they shall endeavour to lessen our Reputation and Interest, and to weaken our lawful Power and Authority
with

‘ with our good Subjects ; if they shall go about by
‘ discountenancing the present Laws to loosen the
‘ Bands of Government, that all Disorder and Con-
‘ fusion may break in upon us, we doubt not, but
‘ God in his good Time will discover them to us ;
‘ and the Wisdom and Courage of our High-Court
‘ of Parliament, join with us in their Suppression and
‘ Punishment.

‘ Having now said all that we can to express the
‘ clearness and uprightness of our Intentions to our
‘ People, and done all we can to manifest those In-
‘ tentions, we cannot but confidently believe all our
‘ good Subjects will acknowledge our Part to be ful-
‘ ly performed, both in Deeds past, and present Re-
‘ solutions, to do whatsoever with Justice may be
‘ required of us, and that their Quiet and Prosperity
‘ depends now wholly upon themselves, and is in
‘ their own Power, by yielding all Obedience and
‘ due Reverence to the Law, which is the Inheri-
‘ tance of every Subject, and the only Security he
‘ can have for his Life, Liberty or Estate, and the
‘ which being neglected or dis-esteemed (under what
‘ specious shews soever) a very great Measure of In-
‘ felicity, if not an irreparable Confusion must with-
‘ out doubt fall upon them. And we doubt not it
‘ will be the most acceptable Declaration a King can
‘ make to his Subjects, that for our part we are re-
‘ solved not only duly to observe the Laws our Self,
‘ but to maintain them against what Opposition so-
‘ ever, though with the Hazard of our Being (5).

REM. (5). *Unhappily for the King, these Kinds of
general Promises, to which he could give what sense he
thought proper, had not the Effect upon the Commons
he expected, or rather they produced the quite contrary,
and increased their Distrust. This the Reader will be
convinced of when he comes to see what had passed, pro-
bably, before this Declaration was published.*

‘ And

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‘ And our hope is, that not only the Loyalty and
 ‘ good Affections of all our loving Subjects, will
 ‘ concur with us in the constant preserving a good
 ‘ Understanding between us and our People, but at
 ‘ this Time their own and our Interest and Com-
 ‘ passion of the lamentable Condition of our poor
 ‘ Protestant Subjects in *Ireland*, will invite them to
 ‘ a fair Intelligence and Unity amongst themselves,
 ‘ that so we may with one Heart intend the reliev-
 ‘ ing and recovering that unhappy Kingdom, where
 ‘ those barbarous Rebels practice such inhuman and
 ‘ unheard-of Outrages upon our miserable People,
 ‘ that no Christian Ear can hear without Horror,
 ‘ nor Story parallel. And as we look upon this as
 ‘ the greatest Affliction it hath pleased God to lay
 ‘ upon us, so our unhappiness is increased, in that
 ‘ by the Distempers at Home, so early Remedies
 ‘ have not been applied to these gowing Evils, as
 ‘ the Expectation and Necessity there requires,
 ‘ though for our Part, as we did upon the first no-
 ‘ tice acquaint our Parliament of *Scotland*, (where we
 ‘ then were) with that Rebellion, requiring their Aid
 ‘ and Assistance, and gave like speedy Intimation
 ‘ and Recommendation to our Parliament here; so
 ‘ since our return hither we have been forward to all
 ‘ Things which have been proposed to us toward
 ‘ that Work, and have lately our Self offered (by
 ‘ a Message to our House of Peers, and communi-
 ‘ cated to our House of *Commons*) to take upon us
 ‘ the Care to raise speedily 10000 *English* Volunteers
 ‘ for that Service, if the House of *Commons* shall de-
 ‘ clare, that they will pay them (6); which parti-
 ‘ culars we are (in a manner) necessitated to pub-
 ‘ lish, since we are informed that the Malice of some
 ‘ Persons hath whispered it abroad, that no speedier
 ‘ advancing

REM. (6). *It appears by this Passage, that this Answer was not published till after the King's Offer of levying ten Thousand Men for Ireland, that is to say, in the Month of January 1641-2.*

‘ advancing of the Business, hath proceeded from
‘ some want of Alacrity in us to this great Work,
‘ whereas we acknowledge it a high Crime against
‘ Almighty God, and inexcusable to our good Sub-
‘ jects of our three Kingdoms, if we did not to the
‘ utmost employ all our Powers and Faculties to the
‘ speediest and most effectual Assistance and Protec-
‘ tion of that distressed People.

‘ And we shall now conjure all our good Subjects
‘ (of what degree soever) by all the Bonds of Love,
‘ Duty, or Obedience, that are precious to good
‘ Men, to join with us for the Recovery of the Peace
‘ of that Kingdon, and the Preservation of the
‘ Peace of this, to remove all their Doubts and
‘ Fears, which may interrupt their Affection to us,
‘ and all their Jealousies and Apprehensions, which
‘ may lessen their Charity to each other, and then
‘ (if the Sins of this Nation have not prepared an in-
‘ evitable Judgment for us all) God will yet make
‘ us a great and glorious King, over a free and hap-
‘ py People.

The bare reading of this Declaration sufficiently shows the King had no Intention to give a particular Answer to the *Remonstrance* of the State of the Kingdom, which contained so many different Articles, which the King's Declaration does not meddle with at all. And it may be, he would never have given any Answer, if his Enemies had not triumphed in his Silence. He thought proper therefore to publish this Declaration, rather that he might be able to say he had answered the *Remonstrance*, than to answer it indeed, and what is more, he published it not till long after he had received the *Remonstrance*. However, the Step the *Commons* had taken in publishing this Paper against his Will, made a deep Impression on his Mind, and convinced him that they had some grand Design, since they showed so little regard for him.

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Effect of
the Remon-
strance.

It was not very strange that the King should be highly displeased with such a Remonstrance, which was properly but a long Train of Reproaches for his past Conduct, and against his Government, with a *Remonstrance*, not directed to himself, but to the Publick, the Authors whereof had no other view but to incense the People against him, and which was made at a Time when it seemed most unnecessary. And therefore the beginning of the Breach between the King and the Parliament, is properly to be dated from this Time, though Matters were not yet brought to an open Rupture.

Next Day, the second of *December*, the King coming to the *Parliament House*, the Speaker presented to him the *Bill for Tonnage and Poundage* for some Months only, wherein the King expressly owns, that he had till then levied these *Duties* without a legal Power. He made on this occasion a fine Speech full of his Majesty's Praises for his Goodness and Affection to his People. After which, the King spoke in the following manner to both *Houses*.

My Lords and Gentlemen,

*The King's
Speech to
both Hou-
ses. Dec. 2.
Rush. IV.
p. 456.
Nelson, II.
p. 708.*

“ I think it fit after so long Absence, at this first
“ Occasion to speak a few Words unto you : But
“ it is in no ways in Answer to Mr. *Speaker's* learned
“ Speech.
“ Albeit I have staid longer than I expected to
“ have done when I went away, yet in this I have
“ kept my Promise with you, that I have made all
“ the haste back again, that the settling of my *Scotch*
“ Affairs could any ways permit. In which I have
“ had so good Success, that I will confidently af-
“ firm to you, that I have left that Nation a most
“ peaceable and contented People ; so that although
“ I have a little misreckoned in Time, yet I am not
“ deceived in my End.

“ But

“ But if I have deceived your Expectations a little
“ in time of my return, yet I am assured that my
“ Expectation is as much and more deceived in the
“ Condition wherein I hoped to have found some
“ Busineses at my return. For that since before my
“ going I settled the Liberties of my Subjects, and
“ gave the Laws a free and orderly Course, I ex-
“ pected to have found my People reaping the Fruits
“ of those Benefits, by living in Quietness and Sa-
“ tisfaction of Mind : But instead of this I find them
“ disturbed with Jealousies, Frights, and Alarms
“ of dangerous Designs and Plots ; in Consequence
“ of which, Guards have been set to defend both
“ Houses. I say not this as in doubt that my Sub-
“ jects Affections are any way lessened unto me in
“ this Time of my Absence, for I cannot but re-
“ member, to my great Comfort, the joyful Re-
“ ception I had now at my Entry into *London* ; but
“ rather, as I hope, that my Presence will easily
“ disperse these Fears : For I bring as perfect and
“ true Affections to my People, as ever Prince did,
“ or as good Subjects can possibly desire. And I
“ am so far from repenting me of any Act I have
“ done in this Session for the good of my People,
“ that I protest if it were to do again, I would do
“ it ; and will yet grant what else can be justly de-
“ sired, for Satisfaction in Point of Liberties, or in
“ Maintenance of the true Religion that is here esta-
“ blished.

“ Now I have but one particular to recommend
“ unto you at this Time, it is *Ireland* ; for which
“ though I doubt not your Care, yet methinks the
“ Preparations for it go but slowly on. The Occa-
“ sion is the fitter for me now to mention it, because
“ of the Arrival of two Lords from *Scotland*, who
“ came instructed from my Council there (who now
“ by Act of Parliament have full Power for that
“ purpose) to answer that Demand, which it plea-
“ sed both Houses to make me by way of *Petition*,
“ that met me at *Berwick* ; and which the Duke of

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“ *Richmond* sent back by my Command, to my *Scottish* Council. Therefore my Desire is, that both *Houses* would appoint a select Committee to end this Business with these Noblemen.

“ I must conclude in telling you, that I seek my People’s Happiness : For their flourishing is my greatest *Glory*, and their Affections my greatest Strength. ”.

It was not without Reason that the King resolved to express a great Zeal for the Publick Good, since the *Remonstrance* of the *Commons* plainly taught him that Endeavours were using to make him forfeit the Love of the People. It was necessary therefore to counterminè the Designs of his Enemies, by repeated Assurances of a great Affection for his People, and by giving to understand that he had entirely changed his Principles and Maxims. But he lay under one great Disadvantage, in that for Things to come, he could give no other Security than his Word, on which his Enemies pretended to demonstrate there was no relying. They chiefly urged, that although the King had solemnly given his Assent to the *Petition of Right*, he had never executed what he promised. The Consequence they drew from this Non-performance was so much the stronger, as the King had nothing to alledge against it but bare Promises, which were of no greater Force than those he made with regard to that *Petition*.

A Committee to treat about the Scotch Succours.

As the King had earnestly recommended to the Parliament the Consideration of the Affairs of *Ireland*, both *Houses* appointed without Delay a Committee to treat with the *Scots* about Succours. The *Commons* in particular passionately desired to negotiate with *Scotland*, imagining as they did, that the King was willing to engage them to send an Army into *Ireland*, that he might be more at ease in *England*, they could not pitch upon a more effectual way to break his Measures, than to employ *Scotch* Troops to relieve that Kingdom. As they had already taken the

the Resolution, though secretly, of divesting the King of great Part of his Power, they easily foresaw that a Breach would infallibly ensue, and then they should have need of the Troops the King would have them send into *Ireland*.

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After the *Remonstrance* every Thing manifestly tended to a Rupture between the King and the Parliament, and the *Commons* omitted no Opportunity to infuse Suspicions into the Minds of the People against the King. With this View, *Daniel O Neal*, who was concerned in the Plot to seduce the Army, was voted guilty of a second Attempt in the Month of *July* last, to perswade the chief Officers of the Army to take part with the King against the Parliament. This tended to show that the King had not given over his Project to make use of Force to awe the Parliament.

Great likelihood of a Breach.
Vote against O Neal.
Rush. IV. p. 455.

On the other Hand, the Rebels of *Ireland* having [by the Lord *Costelough*] presented to the Lords Justices of that Kingdom a Letter in the nature of a *Remonstrance*, wherein they demanded the free Exercise of their Religion, and a Repeal of all Laws to the contrary, the *Commons* made a great Noise about it. They knew the Lord *Costelough*, with the Lord *Taaff* were on their way to *England*, with Propositions to be offered to his Majesty concerning Means for procuring the Peace of *Ireland*. So fearing, or pretending to fear, the King would grant Liberty of Conscience to the *Irish* Papists, they desired a Conference with the Lords. After which, it was solemnly declared by both Houses, that they would never consent to any Toleration of the *Popish* Religion in *Ireland* [or any other his Majesty's Dominions.] It is easy to see how much this tended to breed Suspicions against the King.

The Irish demand a Toleration.

Vote of both Houses on that Occasion.
Rush. IV. p. 455.

If we suppose what I have hinted already, that the Aim of the *Commons*, or at least of the major Part of the House, was to put it out of the King's Power to govern for the future, as he had done before this Parliament, and that in order to prepare the People

Motives of the Commons Proceedings.

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for the Change in Hand, it was necessary to fill them with Fears and Jealousies, we shall fully understand the Motives of all their Proceedings, and the ill Situation the King was then in. His Subjects were prejudiced against him, and he had given them but too much cause to be so. The *Commons* scarce took one Step but what tended to increase this Prejudice; and the King, in order to remove it, could alledge only the Sincerity of his Intentions, which many People were not persuaded of. This gave his Enemies an Advantage, which they did not fail to improve on all Occasions. Nay, they descended even to the meanest Trifles, to cherish the People's Fears. For upon Information that amongst some Barrels of Soap sent by a Merchant of *London* to *Dorchester*, there was found a Barrel of Gun-powder, the *House* appointed a Committee* to make a strict Inquiry into the Matter, as into a Thing of the greatest Consequence.

*A Message
from the
King a-
bout eight
condemned
Priests.
Nelson II.
p. 719,
740.*

About the same Time another Affair happened, which gave some Advantage against the King. The 8th of *December* he sent to acquaint both *Houses*, that Seven*¹ Priests having been condemned that Week, the *French* Ambassador had desired him to change the Sentence of Death into that of Banishment, upon which he wanted to have their Advice. Some Days after, the *Commons* voted that the Seven Priests should be executed, and the Lords concurring with this Vote, both *Houses* petitioned the King to order the Execution. The King replied, that he would banish the Seven Priests, if both *Houses* would give their Consent. As they did not think proper to return any Answer, the King took occasion from their Silence to suspend the Execution. Two Months after, the King communicated a Letter to them, which Secretary *Nicholas* had received from *Venice*, wherein he
was

* They sent down an Order to the Justices of Peace of *Dorchester* to make diligent Search for a Barrel of Powder sent thither for a Barrel of Soap. *Nelson* II. p. 719.

*¹ *Rapin* says Six, but *Nelson* makes them to be Seven. See *Nelson* II. p. 740.

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was told that the Pope threatned to send an Army into *Ireland*, if the Priests were executed. Upon this Menace, both *Houses* prayed the King once more to put the Sentence against the Seven Priests in Execution. But he thought not proper to grant their Desire. His reason was the Fear of Reprisals, and that this Rigour might be extremely prejudicial to the *English* Protestants in *Ireland*, who should fall into the Hands of the Rebels. This Reason was so much the weaker, as it served not only for the present Case, but also for all that should offer in time to come, and tended to render the Laws of no Effect. Besides the *Irish* having already massacred above Forty Thousand *English* Protestants without any Cause, the Fear of Reprisals from them seems to have been a weak Argument for pardoning these Priests. And therefore it was generally thought to be owing to the Sollicitations of the Queen. Be this as it will, the Priests were not executed; for though afterwards the King left it to both Houses to put to Death or save them, they did not think fit to take upon them either to pardon or execute. All this was extremely injurious to the King, since, at the very time, he solemnly protested that he was resolved to put the Laws in Execution, he granted his Protection to these Seven Priests convicted according to Law, and had no regard to the Instances of both Houses.

At this time, I mean in the Month of *December* 1641, two Affairs took up by Turns the House of *Commons*, namely, the Succour for *Ireland*, and the Accusation presented to the Lords against the Bishops. I shall only speak of the first at present.

The King and Parliament were equally agreed as to the Necessity of relieving *Ireland*, and all the Advices from thence were a Demonstration of the same. The *Irish* Army was at the Gates of *Dublin*, and had cut in pieces a Body of Troops sent to *Drogheda*. So, in all likelihood, the Lords-Justices, with the few Troops they had, could not long hold out against the Rebels. The *Scotch* Commissioners that were come

Causes of the Backwardness to assist Ireland.

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to *London* to treat with the Parliament, had offered an Aid of Five Thousand Men, who might with ease be sent from *Scotland* into the *North* of *Ireland* to make a Diversion, and the *Commons* had prevailed with them to treat for Ten Thousand. The Design of the *Commons* was to employ only *Scotch* Troops in the Reduction of *Ireland*, that *England* might not be left unprovided. The King did not refuse the Assistance of *Scotland*, but would have *England* send into *Ireland* the like Number of *English* Forces, on pretense that there was danger of the *Scots* seizing upon *Ireland* when they had subdued the *Irish*. He had found means to gain the Peers to his Side, so that when the Motion was made to the Lords for sending Ten Thousand *Scots* into *Ireland*, they consented to it, provided the same Number of *English* were sent thither also.

The *Scotch* Commissioners complaining by a Memorial, that in four Days they had no positive Answer to their Offers, the *Commons* pressed the Lords to dispatch the Business, declaring that the whole Blame would fall upon them if they neglected it. They farther declared, that unless the *Bill* for pressing of Soldiers passed, it was impossible for *England* to raise Troops for this Service. Whereupon the Lords debated the Three following Questions, which were all resolved in the Negative.

*Votes of the
Peers con-
cerning
Ireland.
Nelson II.
P. 763.*

1. Whether this *House* shall consent to send Ten Thousand *Scots* into *Ireland*, before it can be ascertained that Ten Thousand *English* will be sent thither also?

2. Whether this *House* shall consent to send Ten Thousand *Scots* before the *Bill* for pressing be passed?

3. Whether this *House* shall join with the *Commons*, in sending now Ten Thousand *Scots* into *Ireland*?

*Sharp An-
swer of
the Com-
mons.
Ibid.
P. 771.*

The *Commons* replied to these *Votes* in a Conference, that for the Certainty their Lordships desire of sending Ten Thousand *English* into *Ireland*, the *Commons*

were

1641.

were not used to be capitulated withal: That their Actions are free, as well without Conditions as Capitulations, and desire it may be so no more: That they have already given sufficient Certainty by a *Vote* communicated to their Lordships, and see no necessity of *voting* it again: That they desire their Lordships would vote the sending of Ten Thousand *Scots*, without any Relation to the Ten Thousand *English*, and that speedily, the Preservation of *Ireland* depending upon it: That they have the more Reason to desire this, as the *English* Troops cannot go unless the *Bill* for *pressing* passes. But this was not capable of making the Lords depart from their former Resolutions.

In the mean time, the *Commons*, who had already committed to Prison the Lords *Costelough* and *Taaff*, sent to the King with Propositions about procuring the Peace of *Ireland*, caused all their Papers to be examined, from their Distrust with respect to the King, and no doubt, in Expectation of finding some thing which might do him a Prejudice. *

The Commons imprison the two Lords sent from Ireland.

At the same time the King acquainted the Lords that he would engage to raise Ten Thousand Men for *Ireland* if the *Commons* would promise to pay them. But they were far from closing with this Proposition, well-knowing the King meant to grant the Commissions, and would give them to such Officers as should be at his Devotion. So the *Commons* chose rather to hazard the entire Loss of *Ireland*, than send thither Ten Thousand *English* in such a Juncture; and the Lords had rather run the Risk of seeing all the *English* chased out of that Kingdom, than that the *Scots* should have it in their Power to be Masters of it. The King perfectly knew the Motive of the *Commons*

The King offers to raise 10000 Men.

* The Lord *Dillon* of *Costelough* was pitched upon by the *Irish* Lords to carry over their Desires to his Majesty concerning the Means of quenching the Flames of the Rebellion. Accordingly he embarked in Company with the Lord *Taaff*, and at *Ware* their Papers were seized by Directions from the Parliament, and their Persons committed; but afterwards they found means to escape, and waited upon his Majesty. *Rush. IV. [p. 413.]*

1641.

A Com-
mittee to
examine
the Cause
of the De-
lay of the
Aid.

Rush. IV.
p. 466.

Remark
on this
Subject.

Proclama-
tion de-
claring the
Irish to be
Rebels and
Traitors.
Nelson II.
p. 809.
Jan. 1.
1641-2.

mons Proceedings, whilst they were not ignorant that the Lords acted purely by the King's Directions.

Mean time, the Assistance for *Ireland* being still retarded by these Quarrels, the *Commons* appointed a Committee to examine from whence came the Obstacles that occurred in this Affair. It was really a difficult thing for those who were not acquainted with the secret Motives of the King and *Commons*, to know where the Blame lay that *Ireland* was not relieved, since they seemed equally desirous a speedy Aid should be sent thither. The King's Friends said, his Majesty's Offer to raise Ten Thousand Men, provided the *Commons* would engage to pay them, was a clear Evidence that the Delays did not proceed from him. His Enemies, on the contrary affirmed, that the Refusal of the Lords, or rather of the King who directed them, to accept of the Aid of Ten Thousand *Scots*, on a frivolous Pretence, plainly showed that the Obstacles did not come from the House of *Commons*, since they were very ready to promise to pay these Auxiliaries. For my part, I am of Opinion that both King and *Commons* thought less seriously of assisting *Ireland*, than of turning the Rebellion to their own private Advantage, with regard to the Differences between them. The King wanted the Parliament to send a strong Army into *Ireland*, that they might find it more difficult to raise Forces in case of a Breach with him, of which there was but too much likelihood. The *Commons* on their part had prevailed with the *Scots* to offer Ten Thousand Men, believing that if they were accepted, they should be freed from the Trouble and Hazard of sending an *English* Army into *Ireland*. and if they were refused, the Delay of Relief would be imputed to the King.

However this be, the *House*, upon the Report of the Committee, found that one great Obstruction of Relief to *Ireland*, was that the *Irish* had not been declared Rebels by Proclamation. Wherefore on the 1st of *January* 1641-2, the King issued out a Proclamation, wherein the *Irish* were expressly called Traitors

Traitors and Rebels. But there were only forty Copies printed, which were all sent to Secretary *Nicholas*, according to an Order the Printer had received, to this Effect :

It is the King's Pleasure that you print forty Copies of the Proclamation inclosed, on good Paper, and send them to me, leaving room at the Top for the King's Name, and at the Bottom for the Privy-Seal. His Majesty expressly commands you to print but forty Copies, and not to publish any till you are otherwise ordered.

To the King's
Printer. (a)

Signed

E. D. NICHOLAS.

We shall see hereafter what use the *Commons* made of this Order, of which they had the Original in their Hands, and the King's Answer.

I have already said, that after the King's Return from *Scotland*, the Seeds of Discord between him and the *Commons* began to be sown, which threatned an approaching Rupture. This appeared upon all Occasions, and the mutual Distrust continually increased; but with this Difference, that the *Commons* did not take a single Step but what tended to their End of filling the People with Fears and Jealousies; whereas the King having yet formed no Project, managed according to the present Emergencies, without proposing to himself a fixed and certain End, which was a great Disadvantage to him. Shortly after his Return from *Scotland*, upon notice that there was about to be a tumultuous Concourse of People at *Westminster*, he sent a Writ to the *Sheriff* to set a Guard near the Parliament. The *Commons* took Offence at it, and after some Inquiry to discover that it was done by the King's Order, they dismissed the Guard.

*Proceed-
ings of the
King and
Parlia-
ment.*

*The King
sets a
Guard
near the
Parlia-
ment.
Dec. 8.
The Com-
mons dis-
miss them.*

Two

(a) *Nelson* has omitted this Order to the Printer, though the King denied it not.

1641.
Proclamation con-
cerning
Divine
Service.
Dec. 10.
Rush. IV.
p. 456.

Two Days after the King issued out a Proclamation, strictly commanding that *Divine Service* should be performed in all the Churches of *England* and *Wales*, according to the Laws and Statutes of the Realm. This Proclamation, which indeed contained nothing contrary to Law, was however unseasonable, when the *Commons* publickly showed that in the Laws concerning *Divine Service* there were things repugnant to the Consciences of many People. But the King had the Misfortune to forget sometimes the present Situation of his Affairs, and remember only the State he was formerly in, when his Proclamations met with a ready Compliance. He might easily see that this would be at least of no use, and consequently he should not have published it at such a Juncture. But he gave his Enemies a much greater Advantage against him, in another Affair, which was no small Mortification to him.

Bill for
pressing of
Soldiers.

The *Commons* had voted, as has been said, that a Body of Troops should be sent into *Ireland*. But as they were extremely jealous of the King, they sought an Expedient to hinder him from having any thing to do in the raising these Forces. They were apprehensive that if these Levies were made in the usual Manner, that is to say, by listing Volunteers, these Troops would be too much at the King's Devotion. This Expedient was to levy Soldiers by way of Compulsion, called in *England* pressing, and to pass an *Act* for that purpose. A *Bill* was accordingly brought in and sent up to the Lords. It is very likely there was some Clause in this *Bill* contrary to the Prerogative Royal, to hinder the King from having any Hand in the raising these Troops. * The King having notice of it, came to the Parliament-House,

* In the Preamble of the *Bill* it was declared, That the King had in no case but the Invasion from a foreign Power, Authority to press the Freeborn Subject, which could not consist with the Freedom and Liberty of his Person. Clarend. II. p. 326.

House, and made the following Speech to the Lords and Commons. 16.

My LORDS and GENTLEMEN,

“THE last time I was in this Place, and the last thing that I recommended unto you was the Business of *Ireland*; whereby I was in good hope that I should not have needed again to have put you in mind of that Business. But still seeing the slow Proceedings therein, and the daily Dispatches that I have out of *Ireland*, of the lamentable Estate of my Protestant Subjects there, I cannot but again earnestly recommend the Dispatch of that Expedition unto you; for it is the chief Business that at this time I take to Heart, and there cannot almost be any Business that I can have more care of.

The King's Speech to the Parliament.
Dec 14.
Rush. IV.
P. 457.
Nelson II.
P. 738.

“I might now take up some of your time in expressing my Detestation of Rebellions in general, and of this in particular; but knowing that Deeds and not Declarations must suppress this great Insolency, I do here in a word offer you whatsoever my Power, Pains or Industry can contribute to this good and necessary Work of reducing the *Irish* Nation to their true and wonted Obedience.

“And that nothing may be omitted on my part, I must here take notice of the *Bill* for pressing of Soldiers, now depending among you, my Lords; concerning which, I here declare, that in case it come so to me, as it may not infringe or diminish my Prerogative, I will pass it. And further, seeing there is a Dispute raised, (I being little beholding to him whosoever at this Time began it) concerning the Bounds of this antient and undoubted Prerogative; to avoid further Debate at this time, I offer that the *Bill* may pass with a *Salvo Jure* both for King and People, leaving such Debates to a time that may better bear them. If this be not accepted of, the Fault is not mine that this

“ Bill

1641. " Bill pass not, but theirs that refuse so fair an
" Offer.

" To conclude, I conjure you by all that is or
" can be dear to you or me, that laying aside all
" Disputes, you go on chearfully and speedily for the
" reducing of *Ireland*."

Though it was pretty evident that in this Speech the King had no manner of Intention to violate the Privilege of Parliament, but that his only Aim was to remove the Obstacles which occurred on account of this *Bill*, both *Houses* were equally offended at it. They appointed a joint Committee to examine the King's Speech, and upon their Report, the *House* of Lords voted, *Nemine Contradicente*,

*Votes of
the Lords.
Nelson II.
p. 741.*

1. That the Privileges of Parliament were broken by his Majesty's taking notice of the *Bill* for suppressing of Soldiers, being in Agitation in both Houses, and not agreed on.

2. That his Majesty in propounding a Limitation and provisional Clause to be added to the *Bill*, before it was presented unto him by the Consent of both Houses, was a Breach of the Privilege of Parliament.

3. That his Majesty expressing his Displeasure against some Persons, for Matters moved in the Parliament, during the Debate and Preparation of that *Bill*, was a Breach of the Privilege of Parliament.

*Declara-
tion of both
Houses.
Rush. IV.
p. 458.
Nelson, II.
p. 750.*

These *Votes* were also readily passed in the House of Commons, after which, both *Houses* united in solemn Declaration, importing, " That his Majesty ought
" not to take notice of any Matter in Agitation and
" Debate in either Houses of Parliament, but by
" their Information and Agreement: And that his
" Majesty ought not to propound any Condition,
" Provision or Limitation to any Bill or Act in De-
" bate, or Preparation in either Houses of Parlia-
" ment; or to manifest or declare his Consent or
" Dissent, Approbation or Dislike of the same, be-
" fore

1641.

“ fore it be presented to his Majesty in due Course of
 “ Parliament; and that every particular Member of
 “ either House hath free Liberty of Speech to pro-
 “ pound or debate any Matter according to the Or-
 “ der and Course of Parliament: And that his Ma-
 “ jesty ought not to conceive Displeasure against any
 “ Man for such Opinions and Propositions as shall be
 “ delivered in such Debate, it belonging to the sever-
 “ al Houses of Parliament respectively to judge and
 “ determine such Errors and Offences in Words or
 “ Actions, as shall be committed by any of their
 “ Members, in the handling or debating any Matters
 “ depending: And that his Majesty will be pleased to
 “ declare the Authors of this Mis-information and
 “ evil Counsel.” *

Pursuant to this Declaration, both *Houses* presented
 to his Majesty a *Petition* more at large, to which the
 King returned an Answer in writing some Days after.
 The main of his Answer was, that he had no Inten-
 tion to infringe the Privilege of Parliament, and
 meant only to hasten the Relief of *Ireland*. Both
Houses were satisfied with this Explanation, and the
 Business went no farther. But there remained always
 a Slur upon the King, for violating the Privilege of
 Parliament, which was then of great Consequence.
 This shows that the King had not then about him any
 very able Counsellors. For if they had perceived the
Commons Drift, from the time the Parliament met
 again, they would have been careful not to advise
 the King to take so many not only unnecessary Steps,
 but

*Petition to
 the King,
 and his
 Answer.
 Nelson II.
 p. 751, 762.*

*Faults of
 the King
 or his
 Council.*

* My Lord *Clarendon* says, that when the Clause in the *Bill* for
 pressing mentioned in the Note above, put a stop to the *Bill* in
 the *House* of Lords, Mr. *Saint John* the King's Solicitor went pri-
 vately to his Majesty, and persuaded him to go to the Parliament-
 House, and say the very words in his Speech relating to the *Salvo*
Jure, as an Expedient to remove the Rubs in the way of the *Irish*
Affairs. Upon which both Houses resolving to do nothing till this
 manifest Breach should be repaired by passing the *Bill*. The King
 was compelled to pass it as they had prepared it. Vol. II. p. 327—
 329.

1641. but such as gave his Enemies great Advantage over him. Of this Nature was the Proclamation concerning *Divine Service* before-mentioned. In the same Rank I place likewise the great Zeal he showed for the Church of *England*, which served only to alienate still farther from him all the Adherents of the *Commons*, and let them see what they were to expect, if he should come to be restored to his former State. In a word, nothing could be more unseasonable than this last Speech to both *Houses*, as if the bare Threat of not passing the *Bill* was enough to awe them, whereas, at least in regard to the *Commons*, it was a very strong Argument to cause them to insist upon their Demand. Besides, the Breach of the Privileges of Parliament must needs have been evident, since there was not a single Member in both *Houses*, but what thought the King had violated the same by what he said and did.

The King
removes
Balfour
Lieute-
nant of
the Tower,
Rush. IV.
P. 459.

and gives
his Place
to Luns-
ford;

which
raises Sus-
picions a-
gainst him.

The Peti-
tion of se-
veral Citi-
zens of
London.
Rush. IV.
P. 459.
Nation II.
P. 773.

Six or Seven Days after, the King gave a fresh Oc-
casion of Complaint, by removing Sir *William Bal-
four* Lieutenant of the *Tower* from his Place, with
whom he had no reason to be pleased, on account of
his Evidence concerning the Design of the Earl of
Strafford's making his Escape. All the World saw
plainly this was the sole Cause of *Balfour's* Disgrace.
But perhaps his Removal would not have been of so
ill Consequence to the King, had he not trusted that
important Place to Colonel *Lunsford*, known to be a
Man of profligate Manners, and fit for any purpose.
This Change made the *Commons* believe the King de-
signed to secure the *Tower*, in order to keep the City
and Parliament in awe. As their Jealousy of him was
exceeding great; and as besides, it is very certain,
they sought all Occasions to persuade the People the
King had ill Designs, they failed not to make the most
of the present one. The same Day *Lunsford* was put
in Possession of the *Tower*, a great Number of the In-
habitants of *London*, some of whom were *Common-
Council-Men*, presented a *Petition* to the *Lower-House*,
setting forth, " That the whole State is deeply inte-
rested

1641.

“ reſſed in the Safe-Cuſtody of the *Tower*, but more
 “ eſpecially the City of *London*: That Colonel *Lunſ-*
 “ *ford* is a Man outlawed, and moſt notorious for
 “ Outrages, and therefore fit for any dangerous At-
 “ tempt. For which reaſon the *Petitioners* and many
 “ more who have Intelligence of his having the Of-
 “ fice of Lieutenant beſtowed on him, are put into
 “ ſuch a Height of Fear and Jealouſy, as makes
 “ them reſtleſs till they have repreſented the ſame to
 “ the *House of Commons*, humbly deſiring them to
 “ take this Affair into ſuch Conſideration as may ſe-
 “ cure both the City and Kingdom.”

It cannot be denied that the King had made a very ill Choice in beſtowing this Poſt on *Lunſford*, and that he had thereby given occaſion to Suſpicions to his Diſadvantage. Beſides, it ſeems to be almoſt inexcusable to give the Command of the *Tower* to a Perſon of ſo ill a Character, at a time when his Enemies loſt no Opportunity to inſpire the People with Suſpicions againſt him. The moſt favourable thing that can be ſaid for the King is, that as there were but few Perſons who were willing to be at his Devotion, for fear of the Indignation of the *Commons*, he thought himſelf obliged to chuſe for Lieutenant of the *Tower* one leſs ſcrupulous, and of a deſperate Fortune, who would depend on him alone, and it was no eaſy matter to find many ſuch.

The *Commons* having taken into Conſideration the *Petition* preſented to them, deſired a Conference with the Lords, where they repreſented, “ That
 “ Colonel *Lunſford* is an unfit Perſon for ſo great a
 “ Truſt, as the Lieutenantcy of the *Tower*. But if
 “ his Maſteſty think cauſe that there ſhould be a Lieu-
 “ tenant of the *Tower*, the ſame being already under
 “ the Command of the Earl of *Newport*, who is
 “ Conſtable thereof by his Maſteſty's Appointment,
 “ then that Sir *John Coniers* may be recommended to
 “ his Maſteſty for that Place.” The Lords answered,
 They could not concur with the *Commons* in an Ad-

The Commons de-
ſire the
Lords Con-
currence
for the Re-
moval of
Lunſford.

The Lords
refuſe vs.

1641. drefs to the King to remove Colonel *Lunsford*, because they conceived the same would be an Intrenchment upon his Majesty's Prerogative.

Votes against

Lunsford.

Rush. IV.

p. 460.

The Commons

Declaration,

The *Commons*, vexed at the Refusal of the Lords, voted *Nemine Contradicente*, " That Colonel *Lunsford* was unfit to be Lieutenant of the *Tower*, as " being a Person the *Commons* could not confide in."

At the same time they made a Declaration, setting forth the Occasions they had hitherto had of Fears and Jealousies, as the Conspiracy to seduce the Army, a former Plot of possessing the *Tower*, the *Irish* Rebellion, and the continual Delays and Interruptions they received from the *House* of Peers, by Reason of the great Number of Bishops and *Popish* Lords; and therefore they held themselves bound in Conscience to protest that they were innocent of the Blood which was like to be spilt, and the Confusions which might overwhelm the State, if *Lunsford* were continued in his Charge. Moreover, they hoped that such of the Lords as had the same Apprehensions they had, would take some Course to make the same known to his Majesty. This Declaration being communicated to the Lords, it was resolved by the Majority, that the Debate thereof should be put off till next *Monday*. But two and twenty Lords entered their *Protest* against that *Vote*.

sent to the Lords, who adjourn the Debate of it.

22 Lords

protest.

Rush. IV.

p. 461.

The Earl of

Newport

desired to

reside in

the Tower

Petition of

the Prens-

tices.

Rush. IV.

p. 462.

Nelson,

p. 776.

The Lord

Mayor in-

forms the

King of the

Disposition

of the Peo-

ple.

The same Day the *Commons* sent and desired the Earl of *Newport* to reside within the *Tower* as Constable, and to take the Custody of that Place.

Besides the Inhabitants of *London*, whose *Petition* had been the occasion of the *Commons* Declaration, the *Apprentices* had flocked together in great Numbers, and presented a *Petition* to the King, praying him to concur with the *Commons* in rooting out *Papists*, *Innovators*, *Bishops*, as having altogether plotted to subvert the Government, and introduce *Poverty*.

On the Morrow, the 26th of *December*, being *Sunday*, the Lord-Mayor seeing the *Apprentices* coming together again, and knowing they intended to go

on the *Monday* to *Whitehall*, for an Answer to their *Petition*, waited upon the King to inform him of it. He represented withal, that great Mischiefs might ensue if *Lunsford* were not removed, adding, the People of *London* were bent upon attempting the *Tower*, to put him out. Whereupon the King that same Evening took the Keys from *Lunsford*. But at the same time discharged the Earl of *Newport* of the Constableship of the *Tower*.

1641.
Rush. IV.
P. 462.

Lunsford
removed
as well as
the Earl of
Newport.
Pretense a-
gainst
Newport.

The Reason, or it may be, the Pretense of that Earl's Disgrace was, that the King had been told, that at a Meeting at *Kensington*, whilst he was in *Scotland*, the Earl of *Newport*, upon Discourse of some Plots in that Kingdom should say, *If there be any such Plot, yet here are his Wife and Children*. But the Earl hearing such a Rumour had reached the Queen, waited upon her Majesty, and with many Protestations assured her, that never any such Words were spoken, nor the least Thought conceived of any such Thing, with which the Queen seemed to rest satisfied. Nevertheless, several Months after, the same Day *, Sir *William Balfour* was removed from the Lieutenancy of the *Tower*, the King asked him whether he heard any Debate at *Kensington*, about seizing upon the Queen and her Children. The Earl strongly denied it; to which the King replied, *That he was sorry for his Lordship's Memory*. This is what the Earl of *Newport* positively affirmed himself in the *House of Peers*.

Rush. IV.
P. 463.

The Lords being convinced that the King, upon a false Rumour, had entertained Suspicions against the Earl of *Newport* *, took this Matter to Heart, and presented a *Petition* to the King, praying him

Petition of
the Lords.
Rush. IV.
p. 465.

* *Rushworth* says, the Friday before the Sunday. p. 463.

* Upon the Earl of *Newport*'s Information, the *House of Lords* thinking it to be a Matter of great Consequence, and because some Members of the *Commons* (as being present at the Meeting at *Kensington*) were concerned, had a Conference with them, and desired them to join with them in searching this Business to the bottom. Whereupon they agreed to concur in a *Petition* to the King, &c. Rush. IV. p. 463.

1641. to declare the Reporter of those Words. The Earl of *Bath* on the 30th of *December*, reported his Majesty's Answer as follows :

*The King's
Answer.
Ibid.
p. 465.*

“ It is true, That I have heard Rumours of some
“ Proposition that should have been made at *Kensington*,
“ for the seizing of the Persons of my Wife and
“ Children ; and in Things of so high a Nature, it
“ may be fit for any Prince to enquire, even where
“ he hath no belief nor perswasion of the Thing ;
“ so I have asked *Newport* some Questions concern-
“ ing that Business, but far from that way of ex-
“ pressing a belief of the Thing which *Newport* hath
“ had the boldness and confidence to affirm ; which
“ I could easily make appear, but that I think it
“ beneath me, to contest with any particular Per-
“ son. But let this suffice, That I assure you, I nei-
“ did nor do give Credit to any such Rumour. As
“ for telling the Name of him who informed me, I
“ do stick to the Answer which I gave to your last
“ Petition upon the like Particular.

What Colour soever the King put upon his Behaviour to the Earl of *Newport*, it plainly appeared that he had picked a Quarrel with that Lord, on purpose to have a Pretense to remove him from the Constableship of the *Tower*, at the very time the *Commons* had desired him to go and reside there. This did not help to cure the Suspicions of the *House of Commons*.

*New Mea-
sures of the
Com-
mons.*

I have already mentioned the Project the Leaders and Managers of the *House of Commons* had formed against the King, namely, the devesting him of great Part of his Power. To compass this End, it was necessary to free themselves from the Obstacles which incessantly occurred in the *House of Peers*, where the Bishops and *Popish* Lords were always able, by the Number of their *Voices*, to oppose the Execution of this Design. Hitherto the *Commons* had endeavoured in vain to exclude the Bishops from the *Upper-House*, and

and there was no likelihood that their Sollicitations would have any greater Effect for the Time to come. They must therefore either give over their Project, or take some more effectual Methods to obtain by Force what they were never like to compass by fair Means. I am very sensible, some will take it ill that I positively affirm, the Tumults I am going to speak of, were the Effect of the Practices of the Party against the King, and that several pretend it was all owing to Accident, and the Discontents of the People. The Reader will be able to judge, when he shall have seen what passed in the latter End of the Month of *December*.

1641.

On *Monday* the 27th of this Month, there was a *Concourse* great Concourse of People at *Westminster*, where they *of People* who had presented the *Petition* of the *Londoners*, the *at Westminster* Apprentices, and an infinite Number of others, flocked on pretense of waiting for the King's and the Parliament's Answer. Among these Multitudes, many were heard to Cry with all their Force, *No Bishops! No Bishops!* This corresponded to the *Petition* of the Apprentices before-mentioned. The Bishop of *Lincoln* [Dr. Williams,] who was just nominated to the *See* of *York*, coming along with the Earl of *Dover* to the House of Peers, and observing a Youth to Cry out louder than the rest against Bishops, stepped up to him and laid Hands on him, in order to have him committed to Prison. But the People rescued the Youth, and gathering about the Bishop, hemmed him in that he could not stir, so that he had like to be pressed to Death. But at last, they let him go, crying out as loud as they could, *No Bishops!*

Tumult.

The same time, three or four Officers, who had *Origin of* served in the late Army against the *Scots*, walking *the Name* near *Westminster-Hall*, one of them, Captain *David* *Round* *Hide*, drew his Sword, saying, he would cut the *Rush IV* *Throats* of those *Round-headed cropp'd-ear'd Dogs* that *p. 403* *bawled against the Bishops*. But the other Officers refusing to second him, he was apprehended by the Citizens, and brought before the *House of Commons*

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and sent to Prison. There is no other known Origin of the Name of *Roundheads*, which from this Time was given to the Parliamentarians *.

Lunsford
and others
wound the
Citizens.
P. 464.

The same Day Colonel *Lunsford*, with thirty or forty Officers coming through *Westminster-Hall*, and meeting with the Multitudes, drew their Swords and wounded some Twenty Apprentices and Citizens. The News being carried into the City, vast Numbers of Apprentices and others, ran to *Westminster* with Swords, and Staves, which caused a dreadful Uproar both in *London* and *Westminster*. The Lord-Mayor, to prevent any farther Disorders, ordered the City-Gates to be shut, and put the Train-Bands in Arms, whilst on the other Hand, the King commanded some of the Militia of *Middlesex* and *Westminster* to come by Turns and guard his Person.

The Lords
try in
vain to
appease the
Tumult.
Nelson, II.
P. 781.
Rush. IV.
P. 463.

The Lords seeing so great a Tumult, ordered the Gentleman Usher of the *Black Rod*, to go and command the People to depart to their Homes. But the People answered, they could not do it, because *Lunsford*, with several other Swordsmen, lay in wait for them in *Westminster-Hall*, and had already wounded abundance of People. Whereupon the Lords appointed a Committee to examine what Warrant *Lunsford* and the other Officers had to come to *Westminster*, and likewise what notice had been given to others to come in Multitudes about the Parliament-House. They tried once more to send away the People, but not succeeding, they desired the *Commons* to join with them in publishing a Declaration against Tumults, and in petitioning the King for a Guard. The *Commons* answered, it was now too late, that they had not Time to take this Request into Consideration. Nevertheless, upon Information that some of the People

The Com-
mons act
boldly.
Nelson, II.
P. 792.

* The Apprentices it seems wore the Hair of their Head cut round, and the Queen observing out of a Window *Samuel Bernardiston* among them, cryed out: See what a handsome young *Roundhead* is there! And the Name came from thence, and perhaps was first publicly used by Captain *Hide*.

ple were sent to Prison, they appointed a Committee to examine by whose Authority they were imprisoned, with Power to release them, if it was thought proper. A clear Evidence that this Tumult was not disagreeable to the *Commons* *.

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On the Morrow, the 28th, the Tumult continued in the same manner as the Day before, and the *Commons* made no greater haste to appease it. On the contrary they adjourned the Debate of the Lords Request till next Day. At last, on the 29th, the Populace being again got together, they acquaint the Lords that they are ready to join in all lawful Ways and Means to appease the Tumults, but for printing a Declaration, it was a Matter that would require some farther Deliberation *.

The Tumult continues.

It is very evident that the *Commons* did not desire these Tumults should be so soon over, especially, if what is said of Mr. Pym, one of the leading Members, be true. For it is affirmed, he made answer to one that perswaded him to endeavour to prevent these tumultuous Assemblies, *God forbid the People should be hindered from obtaining their just Desires.* Indeed the House in a Body cannot be accused of taking any Resolution to encourage these Tumults. However it is but too probable, not to say certain, that they were caused by the Intrigues and Direction of some of the Leaders of the opposite Party to the King.

Remark on the Proceedings of the Commons.

To be satisfied of this, a Man need only consider, what was the Posture of Affairs at the close of the Month of *December* 1641. The Redress of *Grievances* was no longer the Point in Hand; that Matter was now compleated without any Opposition on the King's Part. He could therefore affirm, that his Consent to the *Acts* passed in this Parliament, was the

* *Cornelius Burgess* a Puritan Minister, used to say of the Rabble, *These are my Bandogs, I can set them on, and I can fetch them off again.*

* This Answer to the Lords was on the 28th. *Rush. IV. p. 465.*

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Effect of his Love for his People, with as much reason as his Enemies could say, that it was owing to Compulsion and Diffimulation. It is certain that after the King's Return from *Scotland*, there were in the Parliament many Members who wished that Matters might be carried no farther, perswaded as they were, that what was already done was sufficient for the Safety of the Kingdom, and prevention of an arbitrary Government for the future. This was the prevailing Opinion in the *House of Peers*, chiefly because of the Bishops and *Popish* Lords, who always made the Ballance incline to the King's Side, when this main Point was directly or indirectly in question.

It was otherwise in the *House of Commons*. The greatest part of the Members not contenting themselves with having redressed the *Grievances*, had a Mind moreover to diminish the Royal Authority, and put it out of the King's Power to govern for the future, as he had done before this Parliament. Some acted out of pure Distrust of the King's Sincerity: Others out of fear of being exposed to his Resentment, if he should ever be in a Condition to make them feel the Effects of it. Besides these two Motives, the *Presbyterians* had a Third, namely, the altering the Government of the Church, which they plainly saw they should be never able to Effect, but by putting it out of the King's Power to oppose it. All these Members were united in the Project of depriving the King of good Part of his Authority. But there was a great Difference between them in respect of the Animosity against the King, and the Zeal wherewith they pursued the Execution of their Design. The *Presbyterians* were the most Passionate; whilst the rest who acted only from Motives of Distrust and Jealousy, behaved with less Warmth. They could not without a sort of Remorse, contribute to the throwing of the whole Kingdom into Confusion, upon the Foundation of a bare Distrust or Fear, to which it was impossible to apply any Remedy. This was the Cause of the great Debates in the *House* about

bout the *Remonstrance of the State of the Kingdom*. Many considered it as unnecessary, and others were for it, because they saw no surer Means to beget a Rupture between the King and Parliament; a Rupture without which they looked upon themselves as undone, having no hopes of being able to compass their Ends any other way. *Oliver Cromwell*, who as yet made no great Figure in the *House*, told the Lord *Faulkland*, "That if the *Remonstrance* had been rejected, he would have sold all he had the next Morning and left the Kingdom."

After this *Remonstrance* was presented to the King, his Enemies lost no Opportunity to cherish the Fears and Jealousies of the People, in which they had a double View. First, they prepared them thereby for the Change they were meditating, letting them see the absolute Necessity of diminishing the King's Power. Secondly, by provoking the King, they hoped to engage him to take some violent Steps, proper to confirm the Suspicions they were striving to infuse into the People, in which they succeeded but too well, the King being so unfortunate as not to have an able Council about him, who might warn him of the Snares that were laid for him. For all that, they were still very far from their End, by reason of the Obstacles they met with in the House of Peers, where the Bishops and *Popish* Lords broke all their Measures.

Probably, this sort of Contention between the two Houses would have held much longer, if the tumultuous flocking of the *Londoners* about *Westminster* had not come in Season to frighten the Bishops and *Popish* Lords, as we are going to see presently. When therefore a Man finds such Multitudes gathering together at *Westminster*, crying out against the Bishops and *Catholick* Lords, insulting the Peers of the King's Party, in a Word, acting so agreeably to the Desires and Intentions of the *Commons*, he can hardly help thinking that they were stirred up and egged on by some of the Members of the *House*; and the rather,

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ther, as there can be no other probable Reason assigned of so sudden a Commotion.

As to the Justice of the Project, the *Commons* had formed, to tye up the King's Hands from doing for the future, what he had done for fifteen Years, it is a Question not easily to be decided. The Point is to know, whether at the Time I am speaking of, in restoring the King to all his Rights, there was just Ground to confide in him, without any Fear of his abusing his Power for the future. But there is so much to be said, on both Sides in this Question, that the impartial and unbiassed must needs be at a loss, especially as the Business is to know perfectly what the King's Intention was, which is a Thing beyond the reach of human Knowledge. It is therefore upon bare Conjectures that some decide, that after what the King had done this Parliament in favour of his Subjects, it was reasonable to rely on his Word, and that others affirm, it was imprudent to reckon the King's Assent to the *Acts* which had been presented to him, as a Proof of his Intention to govern according to Law, considering this Assent was not altogether voluntary. On this Question ran all the Papers which were published afterwards, either by the King or the Parliament.

The Tumults still continuing about the Parliament-House, and the *Commons* not appearing very forward to appease them, twelve Bishops met at the Archbishop of York's, to consult together about what was to be done. Here by the advice of the Archbishop, they resolved not to go any more to the House of Peers, but to present to the King and the Lords the following Protestation *.

To

* This *Protestation* was penned in heat and haste, by *Williams* Archbishop of York, just after the Treatment he had met with from the Apprentices and others, and without delay presented by him to the King; with an humble Desire that his Majesty would send it to the House of Peers, since the Bishops could not do it themselves,

*To the King's most excellent Majesty, and
the Lords and Peers, now assembled
in Parliament.*

The humble *Petition and Protestation* of all the Bishops and Prelates now called by his Majesty's Writs to attend the Parliament, and present about *London and Westminster* for that Service.

THAT whereas the Petitioners are called up by several and respective Writs, and under great Penalties, to attend in Parliament, and have a clear and indubitate Right to vote in Bills, and other Matters whatsoever, debateable in Parliament, by the antient Customs, Laws and Statutes of this Realm, and ought to be protected by your Majesty, quietly to attend and prosecute that great Service.

They humbly remonstrate and protest before God, your Majesty, and the noble Lords and Peers, now assembled in Parliament, that as they have an indubitate Right to sit and vote in the House of the Lords, so are they (if they may be protected from Force and Violence) most ready and willing to perform their Duties accordingly. And that they do abominate all Actions and Opinions tending to Popery, and the Maintenance thereof; as also all Propension and Inclination to any malignant Party, or any other Side or Party whatsoever, to the which their own Reason and Consciences shall not move them to adhere.

But

themselves, and that he would command, it should be entered into the Journal of the House His Majesty just casting his Eye upon it, and believing it drawn by mature Advice, delivered it to the Keeper, who unfortunately happened to be present, commanding him to deliver it to the House. *Clarend. II. p. 359.*

But whereas they have been at several Times violently menaced, affronted, and assaulted by Multitudes of People, in their coming to perform their Services in that honourable House; and lately chased away, and put in danger of their Lives, and can find no Redress or Protection, upon sundry Complaints made to both Houses in these Particulars.

They likewise humbly protest before your Majesty, and the noble House of Peers, That saving to themselves all their Rights and Interest of sitting and voting in the House at other times, they dare not sit or vote in the House of Peers, untill your Majesty shall further secure them from all Affronts, Indignities, and Dangers in the Premises.

Lastly, Whereas their Fears are not built upon Phantasies and Conceits, but upon such Grounds and Objects, as may well terrify Men of good Resolution, and much Constancy, they do in all Duty and Humility, protest before your Majesty, and the Peers of that most honourable House of Parliament, against all Laws, Orders, Votes, Resolutions and Determinations, as in themselves null, and of no Effect; which in their absence, since the 27th of this instant Month of December 1641, have already passed; as likewise against all such as shall hereafter pass in that most honourable House, during the time of their forced and violent Absence from the said most honourable House; not denying, but if their absenting themselves were wilful and voluntary, that most honourable House might proceed in all these Premises, their Absence or this their Protestation notwithstanding.

And humbly beseeching your most excellent Majesty to command the Clerk of that House of Peers, to enter this their Petition and Protestation amongst the Records,

They will ever pray to God to bless and preserve, &c.

Joh. Eborac : Tho. Duresme : Rob. Co. & Lich :
Jof. Norwich : Jo. Asaphen : Guil. Ba. & Wells,
Geo. Hereford, Rob. Oxon, Mat. Ely, Godfr. Glo-
cest. Jo. Peterburg, Morg. Landaff.

It must be observed that among these twelve Bishops, there were nine of the thirteen accused by the *Commons*, on account of the *Canons* of the late *Convocation*.

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It is manifest, this Protestation tended to dissolve the Parliament, without the King's intermeddling. For if according to the Protestation, the House of Peers could do nothing but what in its self was null, without the Concurrence of the Bishops, it was no less certain, that the *House of Commons* could do nothing valid without the Concurrence of the Peers; from whence it followed that the Parliament was become of no use, or suspended, in the Intention of the Bishops by this Protestation. It appears also that the King had the same Thought, by his haste to communicate the Protestation to the Lords, probably before his Council had examined it. It is very likely, he imagined, the Lords would espouse the Cause of the Bishops as being according to his Notion, a third Estate of Parliament, and that this Affair might occasion the Dissolution of the Parliament. But he found the same House of Peers that had hitherto been so favourable to him, was no longer in the same Mind, since the Bishops and *Popish* Lords were frightened away by the Tumults. The Majority of Voices being no longer for the King, the House looked upon this Protestation with a very different Eye from what the King expected. They desired a Conference with the *Commons*; where the Lord-Keeper told them in the Name of all the Peers, "That this Protestation containing Matters of dangerous Consequence, extending to the deep intrenching upon the fundamental Privileges and Being of Parliament, the Lords have thought fit to communicate it to the *Commons*, as a Thing of great and general Concernment."

Remark
on the Bishops
Protestations.

Rush. IV.
p. 467.

The *Commons* had no sooner received the Report of this Conference, but they immediately resolved to accuse the twelve Bishops of High-Treason, for endeavouring to subvert the fundamental Laws and Be-

The Commons
accuse the
Bishops of
High-
Treason.

Rush. IV.
p. 467.
Nelson, II.
ing p. 769.

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They are
sent to the
Tower.

ing of Parliaments. This Resolution ought not to seem strange, after having seen how the *Commons* stood affected to the Bishops. They took Care not to lose so fair an Opportunity of freeing themselves from the Obstacles they continually met with from the Bishops in the *Upper-House*, and besides, the Lords seemed disposed to come into their Measures. So, that very moment, they sent Mr. *Glyn* to the House of Peers, to accuse in Form the Twelve Bishops of High-Treason, and to desire they might be put into Safe-Custody *. Whereupon the Lords ordered the *Black-Rod* to find out and bring the Twelve Bishops to the Bar of their House, which he did by Eight a-Clock at Night, and Ten of them were committed to the *Tower*, *Moreton* Bishop of *Durham*, and *Hall* Bishop of *Coventry* and *Lichfield*, by reason of their Age, remaining with the *Black-Rod*.

On the Morrow, the 31st of *December*, the *Commons* sent and desired the Lords to take into Consideration the *Bill* that had been sent up some Months since for taking away the Bishops Votes, to which the Lords answered, That they would take the same into Consideration in convenient time.

Commons
desire a
Guard.
Nalson II.
p. 801.
Rush. IV.
p. 471.

The same Day the *Commons* sent a Committee to the King to represent to him that the *House* was under terrible Fears and Apprehensions, by reason of a malignant Party, who were continually forming pernicious Projects. Nay, that some of them had imbrued their Hands in the Blood of his Subjects at the Gates of his Palace, and in the Face and at the Doors of the Parliament. That therefore they humbly besought his Majesty, that they might have a Guard

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* The Lord *Clarendon* says, the Bishops Friends took so great Offence at this indiscreet Protestation, that though they desired to preserve their Function, they had no Compassion or Regard of their Persons, or what became of them; insomuch as in the whole Debate there was only one Gentleman who spoke in their behalf, and said: "He did not believe they were guilty of High-Treason; but that they were stark mad, and therefore desired they might be sent to *Bedlam*." Vol. II. p. 355.

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[out of the City] commanded by the Earl of *Essex*,
of whose Fidelity there could be no Suspicion.

As the Populace of *London* were dispersed, and the Officers still kept about *Westminster*, the *House* was under some Apprehension of Insults from these Reformadoes, and particularly *Lunsford*, who was a Man fit for any Attempt. So, the King desiring this Message, which had been delivered by word of Mouth only, might be given him in writing, and not returning an Answer the same Day, the *Commons* ordered that Thirty or Forty Halberts should be brought into the *House*, to defend themselves with in case of need.

They cause Arms to be brought into their House.

Their Fear was farther increased, upon notice that the young Gentlemen of the *Inns of Court* were gathered together, and gone to *Whitehall* to offer their Service to the King, who had received them very graciously, and ordered them to be handsomly entertained at Tables provided for them.

The Inns of Court Gentlemen come and offer to guard the King.

The King for his part was not without Uneasiness. He was afraid the tumultuous Assemblies of the People would be renewed on *New-Year's Day*: And therefore sent Orders to the Common-Council of *London* to take good Measures for Prevention of the like Disorders as had happened the foregoing Days, in which he was punctually obeyed.

The King orders the Lord-Mayor to prevent the Disorders.
Rush. IV.
p. 471.

The Parliament having adjourned from *Friday* till *Monday*, because the Morrow was *New-Year's Day* (a), and next Day *Sunday*, it was the 3d of *January* before the King returned an Answer to the *Commons* Message concerning a Guard, which was to this Effect:

“ That

(a) In *England*, where the *Old Style* is used, the Year begins the 25th of *March*. This *Style* is made use of in all publick Acts, Deeds, Writings, Histories, and elsewhere. But however, in the Dates, the Difference of the Two *Styles* is set down from the 1st of *January* to the 25th of *March* in this manner, 164 $\frac{1}{2}$, that is to say, the Year 1641 according to the *Old*, and the Year 1642 according to the *New Style*. So that the 1st of *January* is acknowledged for the 1st Day of the Year as in the *New Style*.

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*The King's
Answer
concerning
the Guard.
Nelson V.
11. p. 803.*

“ That it was a great Grief of Heart to him,
“ to find that the *Commons*, instead of reaping the
“ Fruits of his Grace and Affection to his People,
“ should suffer Jealousies, Distrusts and Fears to be
“ so prevalent among them, as to induce them to
“ declare them unto him in so high a Measure as they
“ had done: That he was wholly ignorant of the
“ Grounds of their Apprehensions; but if he had
“ any Knowledge or Belief of the least Design in
“ any, of Violence against them, he would pursue
“ the Contrivers of it with the same Severity and
“ Detestation, that he would do the greatest Attempt
“ upon his Crown. And he engaged solemnly in
“ the Word of a King, that the Security of all and
“ and every one of them, from Violence was, and
“ should ever be as much his Care, as the Preserva-
“ tion of him and His Children. And if this gene-
“ ral Assurance could not suffice to remove their
“ Apprehensions, he would command such a Guard
“ to wait upon them, as he would be responsible for
“ to him, who had charged him with the Safety and
“ Protection of his Subjects.”

Before we proceed, it will be necessary to show exactly the Posture of the King's Affairs in the Beginning of the Year 164 $\frac{1}{2}$. There was in the House of *Commons* a strong Party, who were labouring to rob the King of good part of his Prerogatives, some through Fear or Distrust, others for more hidden Designs. But these last took care not to discover their Intentions. They pretended to act purely from the same Motives of Distrust, whereby the first were swayed, in Expectation of engaging them by Degrees to second them in their Projects. For this Reason they lost no opportunity to inflame this Distrust with regard to the King, by aggravating whatever could be blamed in his Government the Fifteen first Years of his Reign, and by referring all his Actions, since the Beginning of this Parliament, to the

the

the same Principles by which he had ruled before. ^{1641-2;}
 In a word, their Aim was to show that the King was
 still the same, and had not altered his Maxims: That
 his Condescension for the Parliament was all forced,
 and full of Diffimulation: That he only waited for a
 proper Season to return to his old Courses, and when
 once he was restored to his Authority, he would use
 it only to be revenged of those whom he thought
 his Enemies, and to take juster Measures to establish
 an Arbitrary Government.

Indeed as all these things depended upon the King's
 secret Intention, they could not be proved with
 Evidence: but however, such Indications of them
 were given as served to make Impression on abundance
 of People. It was observed, that the King always
 talked of his Assent to the *Acts* of this Parliament,
 as being of pure Grace and not of Justice; from
 whence it was easy to infer, that he reserved to him-
 self the Power of revoking them when he should
 find occasion: That there was but too much reason
 to suspect he had a Hand in the *Irish* Rebellion, con-
 sidering in what Juncture of Time it broke out, and
 the Rebels Declaration that they had the King's and
 Queen's Authority for what they did: That it was
 very probable he showed a regard to the *Papists*, on
 purpose to make use of them on occasion: That he
 could not resolve to execute the Seven Priests legal-
 ly condemned, though both Houses of Parliament
 had been very urgent with him to do it: That al-
 though he continually promised to put the Laws in
 Execution against *Recusants*, his Promises had never
 been performed; but on the contrary, he trusted
Recusants with the most important Posts: That the
 Conspiracy to seduce the Army plainly enough show-
 ed his Designs: That very lately he had violated the
 Privileges of Parliament in so evident a Manner,
 that there was not a single Member in both Houses
 but what was persuaded of the Reality of this Viola-
 tion: That nevertheless, all the Reparation he had
 made was to answer, that he himself did not believe

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he had infringed the Principles of Parliament, nor in any case had ever intended to do so: That upon these Accounts it was absolutely necessary to limit his Authority, and put it out of his Power to govern for the future according to his Pleasure, as he had for Fifteen Years.

These Reasons produced different Effects in the Minds of People, according to the Temper, Understanding and Principles of those to whom they were addressed. To some they appeared too uncertain to ground thereon the Project of diminishing the Regal Power, and consequently of altering the Ecclesiastical Government. Others thought them unanswerable. But there were many Members who wavered between their Distrust with regard to the King, and their Fear of involving the Kingdom in Troubles which might be attended with fatal Consequences, on a doubtful Foundation. These however were easily brought to join in Proceedings which were represented to them as necessary Precautions, without knowing the real Design of them, as for Instance, to consent to the *Bill* for excluding the Bishops. If the Leaders of the *Presbyterian* Party had discovered to them that their Intent was to diminish the Royal Power, to the end they might with the greater Ease establish *Presbyterianism* upon the Ruins of *Episcopacy*, they would never have succeeded. Nay, they would have grown so suspected, that their Credit would have been all forfeited. For it must be observed, that the Heads of the opposite Party to the King, though *Presbyterians* for the most part, had not acted yet as such, but only as zealous Assertors of the People's Rights, and as Enemies to Tyranny, in which the whole Party were perfectly united. When therefore they moved any Thing against the Bishops, they intimated that it was not out of Hatred to *Episcopacy*, but to lessen the Credit of the Bishops which they had abused, in supporting arbitrary Power, and to hinder them from doing so any more. Unluckily, there were Bishops who had given too much Cause of Complaint against them,

them, and by their Behaviour, engaged many *Church-1641-2.*
of-England-Men themselves to concur with them in the
Design of limiting the Authority of the whole Body.

Before the Bishops and *Popish* Lords had absented
themselves from the *House* of Peers, the Party I just
now mentioned met with insuperable Obstacles in that
House. Nay, after that time, those that remained
were not equally engaged in this Party. There were
still a good Number of Lords, who, though against
the King, and extremely jealous of him, could not
however be brought to do any thing that struck at
the Government of the Church and State, or at least
that tended to alter the Constitution. So that ever
since the Parliament met, the *Presbyterians* had yet been
only struggling, as I may say, with the rest of the op-
posite Party to the King, to induce them by degrees to
concur for the humbling of the Regal Power. They
had got the *Remonstrance* of the State of the Kingdom
to be passed, spread Suspicions against the King a-
bout the Rebellion of *Ireland*, and hindered the send-
ing of an *English* Army thither. Their Intrigues
had bred an exceeding great Distrust concerning the
Popish Party countenanced and protected by the King,
and produced mortifying Addresses to the King upon
the Breach of the Privileges of Parliament, and the
Lieutenancy of the *Tower*; tumultuous Assemblies
of the People at *Westminster*; the Petition for a
Guard, as if the House of *Commons* was in great
danger from the King's Party: In a word, the Bi-
shops, their principal Enemies, were in *the Tower*.
In all these things *Presbyterianism* hardly appeared,
and if some suspected it to be the chief Cause of the
Troubles, at least, it was no easy Matter to prove
it.

Notwithstanding all these Advantages, the *Presby-*
terians still saw themselves very far from their End.
They had Credit enough in the House of *Commons* to
have *Votes* passed agreeable to the general Design of
the whole Party: but they themselves were very sen-
sible, that they were not yet strong enough to ven-
ture

1641—2. ture to discover plainly the particular End they were driving at, I mean, the Destruction of the Church of *England*, and the Establishment of *Presbyterianism*. It was necessary before all things to put it out of the King's Power to oppose this their Design. To that Purpose the Members of both *Houses* were to be gained, who still wavered between their Distrust with respect to the King, and the Fear of involving the Kingdom in Troubles, if the altering the Constitution should be attempted. These Members were numerous enough to lay invincible Obstacles in the Way of this Project, by joining with the King's Party. For it must not be imagined, that all those who opposed the King were of the same Character, and proceeded upon the same Principles and Motives. They were united only in this single Point, namely, that Tyranny being equally odious to them, they were alike desirous to be entirely freed from it.

The King orders a Peer and five Commoners to be accused of High-Treason.
Ruth. IV.
p. 473.
Nelson II.
p. 811.

Things stood in this Posture, when the King by the Lord Digby's Advice, who was then his chief Counsellor, took a Step the most imprudent and most fatal to his Affairs that he could possibly take in such a Juncture. The 3d of *January* 1641-2, Sir *Edward Herbert* Attorney-General coming to the House of Peers, acquainted them that the King had commanded him to accuse of High-Treason the Lord *Kimbolton* (a), and five *Commoners*, namely, *Denzil Hollis*, Sir *Arthur Haslerig*, *John Pym*, *John Hambden*, and *William Stroud*. At the same time he delivered the general Articles of Impeachment, which the King had given him with his own Hand; *Viz.*

I. That

(a) Son of the Earl of *Manchester*, who was still alive, and this Lord who had been called to the House of Peers by the Title of Lord *Kimbolton*, was himself afterwards Earl of *Manchester*.

1. That they had traiterously endeavoured to subvert the fundamental Laws and Government of the Kingdom of *England*, to deprive the King of his Royal Power, and to place in Subjects an arbitrary and tyrannical Power over the Lives, Liberties, and Estates of his Majesty's Leige People. 1941-2.
The Articles against them.

2. That they had traiterously endeavoured by many foul Aspersions upon his Majesty and his Government, to alienate the Affections of his People, and to make his Majesty odious unto them.

3. That they had endeavoured to draw his Majesty's late Army to Disobedience to his Majesty's command, and to side with them in their traiterous Designs.

4. That they had traiterously invited and encouraged a Foreign Power to invade his Majesty's Kingdom of *England*.

5. That they had traiterously endeavoured to subvert the Rights, and the very Being of Parliaments.

6. That for the compleating of their traiterous Designs, they had endeavoured, so far as in them lay, by Force and Terror to compel the Parliament to join with them in their traiterous Designs; and to that end had actually raised and countenanced Tumults against the King and Parliament.

7. That they had traiterously conspired to levy, and actually had levied, War against the King.

Then Mr. Attorney said, That he was further charged to desire on his Majesty's behalf :

1. That a select Committee under a command of Secrefie may be appointed to take the Examination of such Witnesses as the King will produce in this Business, as formerly hath been done in Cases of like Nature, according to the Justice of this House. t

2. Liberty to add and alter, if there should be Cause.

1641-2.

3. That their Lordships would take Care for the securing of the Persons as in Justice there should be Cause.

Considerations on this Step of the King's.

It is very hard to conceive what the King's Aim could be in this uncommon Accusation, and what he could expect from it, considering the Difficulties which presented themselves in Crouds, and which it was hardly possible not to foresee.

In the first Place, the King demanded Justice of the Lords against five Members of the House of *Commons*, the Parliament sitting, which was a very manifest Irregularity, since the Peers were not the proper Judges of the Members of the *Lower-House*, whilst the Parliament was sitting, without the Consent of that *House*, which the King could not be ignorant of. Consequently they had no Power to commit the five Members. To what Purpose then was it to desire it?

Secondly, In this Accusation the King fell upon five Members of the *Commons*, who were the Leading-Men in that *House*. How then could he expect, as Matters stood, that the *Commons* would deliver up their Leaders, on pretense of a general Accusation which descended not to any Particulars?

Thirdly, The King, when he accused these five Members, properly accused the whole House of Treason, as it was easy to perceive by the bare reading of the Articles.

Lastly, How could he expect that the Parliament who had presented the *Scots* with three Hundred Thousand Pound, as a Reward for their brotherly Assistance, would consider as High-Treason, the having invited them into the Kingdom, supposing he had been able to make good what he advanced?

All this shows the King had been ill-advised when he took this Business in Hand at such a Juncture. Accordingly there is not one Historian, even among those that are the most devoted to him, but what

owns

owns at least, that it was a most imprudent and un-
reasonable Step.

1641-2.

After the reading of the Articles of Accusation, the Lord *Kimbolton* stood up and prayed, that as he had a publick Charge, he might have a publick Clearing. But the Peers proceeded not with such speed as the King expected. The first Thing they did, was to appoint a Committee to examine the Regularity of this Proceedings, and to search for Precedents and Records, whether there ever had been any such Thing before, and whether an Accusation against a *Peer* might be brought into their *House* by the Attorney-General. As to the Accusation against the five *Commoners*, they did not so much as take it into Consideration, whether they should receive it, but contented themselves with acquainting that *House* that some of their Members were accused of High-Treason by the Attorney-General.

*The Peers
examine
the Regu-
larity of
the King's
Proceed-
ings.
Rush. IV.
p. 474.*

At the same Time the *Commons* were informed, that several Persons * were at Mr. *Hollis's* and Mr. *Pym's*, sealing up their Trunks, Doors, and Papers. The same Thing was done in the Houses of the three other Parties accused. Whereupon the *Commons* ordered their Serjeant to go and break open the Seals, and apprehended those that put them on. Moreover they passed an Order, "that if any Persons whatever should come to the Lodgings of any Member of the House, and there offer to seal the Doors, Trunks, or Papers, that then such Member should require the Assistance of the Constable to keep such Persons in safe Custody till the House should give further Order. That if any Person should offer to arrest or detain any Member without first acquainting the House therewith, it was lawful for such Member to stand upon his Guard of Defence and for any Person to assist him, according to the

*The Pa-
pers, &c.
of the Par-
ties accu-
sed are
sealed up
by the King.
The Com-
mons take
off the Seals
Order of
the Com-
mons.
Nelson. II.
p. 813.*

* Sir *William Flemming*, Sir *William Killigrew*, and other Gentlemen. *Rush. IV. p. 476.*

1641-2. " Protestation taken to defend the Privileges of Parliament.

Conference
between
the two
Houses.
Nelson.
Ibid.

The King
sends and
demands
the five
Members.
Rush IV.
p. 475.

Presently after, the *Commons* represented to the Lords in a Conference, that the King had ordered the Trunks, Chambers, and Studies of several of their Members to be sealed up, and had set a Guard in a warlike manner at *White-Hall*. And therefore they desired that such a Guard might be placed about the Parliament also as should be approved of by both Houses, or else to join with them to adjourn to a Place of Safety. During this Conference a Serjeant at Arms came to the House of *Commons* from the King, and required the five Members, accused by his Majesty. The Serjeant being ordered to withdraw, the *Commons* appointed some of their Members to wait upon the King, and acquaint him, " That his
" Message was a Matter of great Consequence, that
" it concerns the Privilege of Parliament, and of
" all the Commons of *England*: That they will take
" it into Consideration, and attend his Majesty with
" an Answer, with as much speed as the Greatness
" of the Business will permit: And in the mean
" time the five Members shall be ready to answer
" any legal Charge made against them." Then they dismissed the Serjeant who had brought the Message. At the same time they enjoined the five Members to give their Attendance every Day on the House.

The Parties
accused
are ordered
to attend
daily on
the House.
Resolution
of the Peers
agreeable
to the
Commons
Request.

Mean while, the Peers had made an Order to open the Doors and Trunks of the Members of both Houses which were sealed, and resolved to join with the *Commons* in a Petition to the King for such a Guard as both Houses should approve of. They had ordered moreover, that two of their Body, together with some Members of the *Commons*, should go and represent to the King, that the Privileges of Parliament had been violated.

Report of
the King's
Answer.

The next Morning, *January* the 4th, the Lord *Falkland* reported the King's Answer to the Message of the *Commons* concerning the Breach of Privilege.

He

He said, the King asked him whether the *House* did expect an Answer? and before the Lord *Falkland* replied, told him, he would send an Answer to Morrow as soon as the *House* was set. In the mean time he bid him acquaint the House that the Serjeant had done nothing but what he had Directions from himself to do.

Presently after this Report, the *Commons* sent and desired a Conference with the Lords, in order to acquaint them that there was a *scandalous Paper* published, containing *Articles of High-Treason against the Lord Kimbolton, &c.* and to desire that they would concur in punishing the Authors and Publishers thereof.

Then the Gentlemen of the *Inns of Court*, who offered themselves to be a Guard to his Majesty, were sent to and examined upon a Rumour that they were bid to be in a readiness the 4th of *January*. Those of *Lincoln's-Inn* answered, "That last Week they went to *Whitehall* to offer their Service to the King, upon hearing that his Person was in Danger. That Yester-Night, they had received a Message from his Majesty by Sir *William Killigrew* and Sir *William Flemming*, that they should keep within to Morrow, and be ready at an Hour's Warning if the King should have occasion to use them. That they brought to them likewise a Paper of Articles of Accusation against the Lord *Kimbolton* and five Members of the House of *Commons*. That they had only an Intent to defend the King's Person, and would do their utmost also to defend the Parliament; being not able to make any Distinction between the King and his Parliament." The Gentlemen of the other *Inns* answered to the same Effect *.

In

* Only those of the *Middle-Temple* sent their Answer in Writing, in which they said, *That their Intention to defend the King's Person was no more than they were bound unto by the Oath of Allegiance.* Rush. IV. p. 477.

1641-2.
The King himself goes to the House of Commons.
 Ibid.
 p. 477.

In the Afternoon the five accused Members came into the House according as they had been enjoined. They were no sooner sat in their Places, but one Captain *Langriff* sent in Word that the King was coming with a Guard of military Men, Commanders and Soldiers *. As there was room to believe that the King intended to seize the five Members, they were ordered forthwith to depart the House. They were hardly gone out when the King appeared, and as he passed up towards the *Chair*, he said to the Speaker, *By your leave, Mr. Speaker, I must borrow your Chair a little.* When he was in the Chair he looked round to see if he could discern any of the five Members; after which he made the following Speech to the *House*, his Guard waiting at the Door without.

GENTLEMEN,

The King's Speech to the House of Commons.
 Rush IV.
 p. 477.
 Nalson, II.
 p. 810.

I Am sorry for this Occasion of coming unto you: Yesterday I sent a Serjeant at Arms upon a very important Occasion, to apprehend some that by my Command were accused of High-Treason; whereunto I did expect Obedience, and not a Message. And I must declare unto you here, that albeit no King that ever was in England, shall be more careful of your Privileges, to maintain them to the utmost of his Power, than I shall be; yet you must know that in Cases of Treason, no Person hath a Privilege. And therefore I am come to know if any of these Persons that were accused are here: For I must tell you, Gentlemen, that so long as these Persons that I have accused (for no slight Crime, but for Treason) are here, I cannot expect that this House will be in
 the

* A certain Member had also private Intimation from the Countess of *Carlisle*, Sister to the Earl of *Northumberland*, that Endeavours would be used this Day to apprehend the five Members. The Lord *Clarendon* says, it was generally believed that the King's Purpose of going to the *House* was communicated to *William Murray* of the Bed-Chamber, by the Lord *Digby*, and that it was discovered by the said *Murray*. II. p. 359.

the Right way that I do heartily wish it : Therefore I am come to tell you, that I must have them wheresoever I find them. Well, since I see all the Birds are flown, I do expect them from you, that you shall send them unto me, as soon as they return hither. But I assure you, on the Word of a King, I never did intend any Force, but I shall proceed against them in a legal and fair way, for I never meant any other.

And now since I see I cannot do what I came for, I think this no unfit Occasion to what I have said formerly, That whatsoever I have done in favour, and to the good of my Subjects, I do mean to maintain it.

I will trouble you no more, but tell you I do expect as soon as they come to the House, you will send them to me ; otherwise I must take my own Course to find them.

The King was no sooner gone, but many Members cried out aloud, so as he might hear them, *Privilege ! Privilege !* and forthwith the House adjourned till the next Day at one a Clock.

The Commons assembling on the Morrow, the 5th of January, at the appointed Hour, immediately voted, that the King had violated the Privileges of the House, and that they could not sit any longer there, without a full Vindication of so high a Breach, and a Guard for the Safety of their Persons. Then it was resolved to adjourn till the 11th of the same Month, and a Committee of Twenty-four was appointed, during the Adjournment to sit at Guild-Hall, and to consider of all Things concerning the Good and Safety of the City and Kingdom, and particularly, how their Privileges might be secured. The Committee for the *Irish* Affairs was ordered likewise to sit at the same Place during the Adjournment *. That done, a Message was sent to the Lords, to acquaint them with what had passed the Day before, with their Adjournment

*The House
adjourns.*

*Vote that
th King
had vio-
lated the
Privileges
of Parlia-
ment.*

*he Com-
mons ap-
point a
committee
to sit at
Guild-
Hall.
Rush. IV.
p. 479.*

* It was the same Committee of Twenty-four, who had Power to consider of the Affairs and Relief of Ireland. *Rush. IV. p. 479.*

1641-2. jourment and Committee appointed to sit at *Guild-Hall*.

The King goes to the Common-Council of London.

The same Day the King came to *Guild-Hall*, having ordered the Lord-Mayor to assemble the Common-Council. As he passed along the Streets, he had the Mortification to hear People crying out, *Privileges of Parliament ! Privileges of Parliament !* Nay, one *Henry Walker* [an Ironmonger and Pamphleteer,] was so insolent as to throw into his Coach a Paper, wherein was written, *To your Tents, O Israel*. His Majesty being come to *Guild-Hall*, made the following Speech to the Common-Council.

GENTLEMEN,

The King's Speech to the Common-Council. Rush. IV. P. 479.

I Am come to demand such Persons as I have already accused of High-Treason, and do believe are shrowded in the City. I hope no good Man will keep them from me; their Offences are Treason, and Misdemeanours of an high Nature. I desire your loving Assistance herein, that they may be brought to a legal Tryal.

And whereas there are divers Suspicions raised, that I am a Favourer of the Popish Religion; I do profess, in the Name of a King, that I did and ever will, and that to the utmost of my Power, be a Prosecuter of all such as shall any ways oppose the Laws and Statutes of this Kingdom, either Papists or Separatists; and not only so, but will maintain and defend that true Protestant Religion which my Father did profess, and I will continue in it during my Life.

Remark on this Speech.

The King seems to have forgot how his Affairs then stood, and to imagine he was in the same State as before the War with Scotland. Certainly he could not be ignorant that the City of London was not very well affected to him, neither had reason to be so. He believed however they would espouse his Cause against the Parliament, and deliver up the five Members, which was not at all likely. On the other Hand, he could be still less ignorant that it was chiefly

chiefly in *London* that the *Presbyterians* were numerous and powerful, and yet he affected to say, that he would maintain and defend the Protestant Religion which the King his Father had professed, and prosecute to the utmost of his Power *Separatists* as well as *Papists*. I own I cannot see the Necessity or Benefit of such a Declaration before the Common-Council of a City, much more inclined to *Presbyterianism* than to the *Church of England*, as it manifestly appeared shortly after.

Mean while, the Committee which sat at *Guild-Hall*, were diligently taking Informations of what passed the 4th of *January*, and preparing Matters for their Report to the *House* against their Meeting. The Committee was informed that Sir *John Biron*, who was made Lieutenant of the *Tower*, in the room of *Lunsford*, had sent to *Whitehall* one Hundred Arms, and two Barrels of Powder. *Rushworth*, who relates this Particular, affirms, that the Matter being farther inquired into, was found to be true. But I cannot tell whether we may give entire Credit to his Testimony, though what he says is not improbable.

On the 7th, the City of *London* presented a Petition to the King, which plainly showed they were more inclined to the Parliament than to him. They represented their great Fears and Distractions, by reason of the Progress of the Rebels in *Ireland*, fomented by the *Papists* in *England*, and their Adherents: The want of Aid to suppress them, and the Intimations received from Abroad and at Home, of a Design to extirpate the Protestants: The putting out Persons of Honour and Trust from being Constable and Lieutenant of the *Tower*: The Preparations there lately made, the fortifying *White-Hall* in an unusual manner: The Endeavours used to the *Inns of Court*: The calling in divers Cannoneers into the *Tower*: The Discovery of divers Fire-Works in the Hands of a *Papist*: The Misunderstanding betwixt his Majesty and Parliament, by reason of Misinformation: His Majesty's late going to the House

1641-2.

The Committee is very busy.

Rush. IV. p. 480.

Petition of the City of London. Rush. IV. p. 480. Nalson, II. p. 841.

1641 2. of *Commons*, attended with a great Multitude of armed Men, besides his ordinary Guard, for the apprehending of divers Members, contrary to the Privileges of Parliament.

This Petition was very capable of letting the King see how much he was mistaken in his Opinion, that the City of *London* stood well affected to him. He returned however a very mild Answer to each of the Articles, to this Effect.

*The King's
Answer.
Rush. IV.
p. 481.*

“ That as for the Business of *Ireland*, there was
“ nothing on his part unoffered or undone ; and he
“ hoped by the speedy Advice and Assistance of his
“ Parliament, that great and necessary Work would
“ be put in a sure Forwardness, to which he would
“ contribute all his Power.

“ For the *Tower* ; He wondred, that having re-
“ moved a Servant of good Trust and Reputation
“ from that Charge, only to satisfy the Fears of the
“ City, and put in another of unquestionable Reputa-
“ tion and known Ability, the Petitioners should
“ still entertain those Fears : And whatever Prepara-
“ tions were there made, it was with as great an
“ Eye of Safety and Advantage to the City as to his
“ own Person.

“ For the *fortifying of Whitehall* with Men and Mu-
“ nition ; he doubted not but the Petitioners had ob-
“ served the strange Provocation he had received to
“ entertain that Guard ; and if any Citizens were
“ wounded or ill treated, he was confidently assured,
“ that it happened by their own evil and corrupt
“ Demeanors.

“ That he knew no other Endeavours to the *Inns
“ of Court* than a gracious Intention, that he re-
“ ceived the tender of their loyal and dutiful Affec-
“ tions, with very good Approbation and Accep-
“ tance, and an Encouragement given them to con-
“ tinue the same upon all Occasions.

“ For

“ For his going to the *House of Commons*; he was
 “ verily persuaded, that if the Petitioners knew the
 “ clear Grounds upon which those Persons stood ac-
 “ cused of High-Treason, they would believe his
 “ going thither was an Act of Grace and Favour to
 “ that House, and the most peaceable way of having
 “ that necessary Service, for the Apprehension of
 “ those Persons, performed; especially if such Or-
 “ ders had been made, which he was not willing to
 “ believe, for the Resistance of all lawful Authority
 “ as were discoursed of. And for the *Proceedings*
 “ against those Persons, he ever intended the same
 “ should be with all Justice and Favour, according
 “ to the Laws of the Realm.

He concluded with these words, “ And this ex-
 “ traordinary way of satisfying a Petition of so un-
 “ usual a Nature, his Majesty is confidently persua-
 “ ded will be thought the greatest Instance can be
 “ given of his Majesty’s clear Intentions to his Sub-
 “ jects, and of the singular Estimation he hath of
 “ the good Affections of this City, which he be-
 “ lieves in Gratitude will never be wanting to his just
 “ Commands and Service.”

On the Morrow, the 8th of *January*, the King pub-
 lished a Proclamation, commanding all Magistrates
 and Officers of Justice to apprehend the accused
 Members, and carry them to *the Tower*.

Whilst the Committee was assembled at *Guild-Hall*,
 they took the Information of two Witnesses, who
 deposed, That they heard Captain *Hide* say things
 which showed he had some ill Design against the
 House of *Commons*.

Then it was resolved, that the Sheriffs of *London*
 and *Middlesex* should raise the *Posse Comitatus* for their
 safe-coming to *Westminster*, the Day the Parliament
 should meet again. Whereupon the Watermen came
 and tendered their Service to guard the Committee by
 Water to the Parliament-House, which was accepted

of

Jan 8.
Proclama-
tion to ap-
prehend
the five
Members.
 Rush. IV.
 P. 482.

Resolutions
of the
Committee

1641-2. of. But the Offer of the Apprentices to accompany them by Land was refused.

*Resolutions
of the
Committee*

Mean while, the Committee of Twenty-four having appointed a Sub-Committee to examine the Affairs in Hand, they made their Report, *January* the 10th, of what Resolutions had been taken; namely,

*Rush IV.
P. 483.*

That the publishing several Articles of High-Treason against the Lord *Kimbolton* and the Five Members of the House of *Commons*, was a high Breach of the Privileges of Parliament, a seditious Act tending to the Subversion of the Peace of the Kingdom.

That the Privileges of Parliament, so violated and broken, could not be fully and sufficiently vindicated, unless his Majesty would be pleased to discover the Names of those Persons who advised him to seal the Chambers and Studies of the accused Members, to send a Serjeant at Arms to the House of *Commons* to demand them; to issue Warrants under his own Hand to apprehend them; to come in Person to the *House*, to publish the Articles of Accusation in the Form of a Proclamation, to the End such pernicious Counsellors might receive condign Punishment.

*The King
retires
from Lon-
don
Rush IV.
P. 484.*

The Committee of Twenty-four resolving to return on the Morrow to the Parliament with a numerous Guard, the King thought fit to avoid the Hazard of receiving some Affront from the Populace. And therefore chose to withdraw to *Hampton-Court*, and two Days after to *Windsor*.

*The Com-
mittee re-
turn to the
House.*

January the 11th the *Commons* being assembled at *Westminster*, the Committee of Twenty-four came thither by Water, conducted by great Numbers of Seamen and others, whilst the Train'd-Bands of *London* marched through the City in Arms, to guard them also by Land.

*The King
repents of
his Pro-
ceedings.*

Then it was that the King found he had taken wrong Measures, and that his imprudent Proceedings could not but grievously vex him and ruin his Affairs. He repented of what he had done, and wished he could appease the Disorder himself had raised. To this end

end the next Day, *January* the 12th, he sent the following Message to both Houses: 1641-2.

His Majesty taking notice that some conceive it disputable whether his Proceedings against the Lord Kimbolton, Mr. Hollis, Sir Arthur Haslerig, Mr. Pym, Mr. Hampden, and Mr. Strode, be legal and agreeable to the Privileges of Parliament; and being very desirous to give Satisfaction to all Men in all Matters that may seem to have relation to Privilege, is pleased to wave his former Proceedings, and all Doubts by this means being settled, when the Minds of Men are composed, his Majesty will proceed thereupon in an unquestionable way, and assures his Parliament, that upon all Occasions he will be as careful of their Privileges as of his Life or his Crown.

The King's Message to both Houses, Rush. IV. p. 484. He desists from his Method of Proceeding

Had there not been a settled Design against the King, this Message would have been capable to pacify All, since he plainly showed that he repented of what he had done, and in some Measure confessed his Fault. But he had given too great a Handle against him for his Enemies to neglect to make the most of this Advantage. I have observed that abundance of the Members in both Houses were not yet determined to join with those who sought only to throw all Things into Disorder and Confusion. Some began to discover what the *Presbyterians* were driving at. Others had Doubts and Scruples which they could not well get over, when they considered that the Destruction of the Kingdom would be endangered by a bare Distrust which could not be well-grounded. But the Doubts they had before, were changed into Certainty, after what the King had lately done. Before the Accusation of the Six Members, it was doubtful whether the King thought of being revenged of those who had offended him: But this Accusation rendered this Intention very probable. It was doubtful whether his Condescension for the Parliament was constrained: But this Accusation discovered that he

Considerations on the imprudent Accusation of the five Members in respect to the Time

1641 2. believed himself robbed of his lawful Authority, and that he considered what the Parliament had done with respect to himself, as High-Treason. For if the depriving him of Part of his Authority was Treason, they who had given their Votes for Triennial Parliaments, and the Continuance of this, could not be innocent. If the endeavouring to render the King odious to his People was Treason, certainly the six Members were not the only guilty Persons. If the inviting the *Scotch* Army to come into *England* was Treason, how could the House of *Commons* clear themselves, after having rewarded the *Scots* for their Invasion, with a Present of three Hundred Thousand Pounds? If it was Treason to endeavour to subvert the Rights, and the very Being of Parliaments, both Houses were guilty of this Crime, when they assumed by an *Act*, the Power of not being dissolved or prorogued without their own Consent, since this was altering the Nature of Parliaments. If raising Tumults was Treason, the countenancing and encouraging these same Tumults was no less so, and of this the whole House of *Commons* was guilty. In short, the Charge against these particular Members for conspiring to levy, and for actually levying War against the King, necessarily struck at the whole House, who had countenanced the tumultuous Assemblies, set themselves a Guard, and provided themselves with Arms.

These Things put those upon considering, who till then had preserved some Kindness for the King, and entertained favourable Thoughts of him. They plainly saw what Judgment the King passed upon the Actions of the Parliament, though he attacked but six Members. The shallow Artifice of throwing upon a few the Fault of the whole House, had taken effect with regard to former Parliaments, whilst the King was Master. But it would not do with the present Parliament, and at such a Juncture. After past Grievances were redressed, the Business was to know whether the King's Word was to be relied upon

on, and he restored to his natural State. Many were of this Mind, not being able to imagine, that after all that had passed in this Parliament, the King would endeavour to govern for the future as he had done before. They could not resolve, from a bare Motive of Fear and Distrust, to make any Alteration in the Constitution of the Government, by abridging the King's Power. Others maintained that the King's Condescension was all Dissimulation, and no Trust to be put in his Word. These Men, to bring over the rest to their Opinion, were forced to use sundry Artifices, to aggravate the King's Actions, and put an ill Construction upon them, and for all that they had not yet been able to compass their Ends. But by the Accusation of the six Members, the King himself supplied them with Arguments which were not easy to be answered. They had no more occasion to make use of Signs and Conjectures to prove what they advanced, since the King gave them himself such evident Proofs. So, we may say, the King never followed more pernicious Advice than that which was given him to proceed in the manner he had lately done. If the Lord *Digby*, as it is said, advised him to it, one may affirm that he threw him into a Gulf from whence it was not possible for him ever to extricate himself.

From that time, the Question was not to know whether it was necessary to diminish the regal Power, but to know within what Bounds it should be confined, they who had hitherto been most moderate, having entirely lost the Doubt they were under touching the King's Sincerity. So the Party which was most against him, being grown much the strongest in the two *Houses*, and hardly meeting any Opposition, they who were desirous to do the King Service, thought it safest for them either to absent themselves from the Parliament, or to keep silence, in Expectation of an Opportunity to serve him effectually, if Affairs should take a new Turn, and by that the opposite Party grew still more powerful.

1641-2.

*Declaration
of the
Commons.
Rush. IV.
p. 484.*

It is evident then, that in the present Temper and Disposition of the Parliament, the King's late Message was not a sufficient Means to oblige his Enemies to alter their Measures. Especially as by this Message he did not depart from the Accusation, but only from the Manner of Proceeding, though it was easy to perceive that he took this Method only to come off with the less Dishonour. Accordingly the *Commons* did not much regard it. *January* the 17th they came to the like Resolutions with those taken by the Committee in *London*, and reduced them into the Form of a Declaration. They only added, the Depositions of some Witnesses concerning the Number of armed Men, who attended the King when he came to the *House*, and who according to these Depositions were about Five Hundred: Concerning the insolent Behaviour of some of the Officers who accompanied his Majesty: And concerning the Words they used at the Door of the House, which seemed to denote that they waited only for the Word to fall upon the Members. There is no question but all these Things were highly aggravated: However, these Exaggerations were subservient to the End the *Commons* designed. They declared nevertheless, that they meant not to screen their Members when they should be accused of Treason or Misdemeanour, and prosecuted according to Law and the Privileges of Parliament: On the contrary, they should be always ready to bring them to a speedy and due Tryal; being sensible, that it equally imported them as well to see Justice done against Criminals, as to defend the just Rights and Liberties of the Subjects and Parliament of *England*.

Before this Declaration was published, the King had sent the following Message to the two *Houses*, which was a clear Evidence how desirous he was of giving them content, and ending this unlucky Affair:

His

1641-2.

His Majesty being no less tender of the Privileges of Parliament, and thinking himself no less concerned that they be not broken, and that they be asserted and vindicated whensoever they are so, than the Parliament itself, hath thought fit to add to his last Message this Profession, That in all his Proceedings against the Lord Kimbolton, and the rest of the accused Members, he had never the least Intention of violating the least Privilege of Parliament: And in case any doubt of Breach of Privilege remains, will be willing to clear that, and assert those by any reasonable way that his Parliament shall advise him to; upon Confidence of which, he no way doubts his Parliament will forthwith lay by all Jealousies, and apply themselves to the Publick and pressing Affairs, and especially to those of Ireland, wherein the Good of this Kingdom and the true Religion (which shall ever be his Majesty's first Care) are so highly and so nearly concerned. And his Majesty assures himself, that his Care of their Privileges will encrease their Tenderneſs of his lawful Prerogative, which are so necessary to the mutual Defence of each other; and both which will be the Foundation of a perpetual perfect Intelligence between his Majesty and Parliament, and of the Happiness and Prosperity of his People.

*The King's
2d Message
to the Par-
liament.
Jan. 14.
Rush. IV.
p. 488.
Nelson, II.
p. 858.*

This Message was not capable of satisfying the Commons. I have shown the Reason above. On the contrary, the next Day they caused Sir Edward Herbert the Attorney-General to be examined at the Bar of the House of Lords. His Answers being sent to the Commons, they ordered him to be accused of several high Crimes and Misdemeanors, that is to say, of having violated the Privileges of Parliament, in exhibiting to the House of Lords the Articles which he received from the King's own Hand with an expreſs Command to exhibit them.

*The Com-
mons im-
peach the
Attorney-
General.
Rush. IV.
p. 489.*

Two Days after, both Houses petitioned his Majesty that they might be informed what Proof there was against the Six Members, to the end they might

*Petition
that the
King would
show what
Proof there
was a-
gainst the
Six Mem-
bers.
Jan. 211*

1641 2.
The King's
Answer.
 Rush IV.
 p. 491,
 Jan. 24.

speedily be proceeded against. The King answered, that he thought it unusual or unfit to discover what Proof was against them, before he was certain of the way he was to proceed, least a new Mistake should breed more Delays. That it should be resolved therefore, whether his Majesty was bound in respect of Privilege, to proceed against them by Impeachment in Parliament; or whether he was at Liberty to prefer an Indictment at common Law, in the usual Way, or have his Choice of either.

The Par-
liament
insist upon
their De-
mand.
 Feb. 2.
 Rush. IV.
 p. 492.

This Answer could not but perplex the two Houses, since the King was very willing to follow their Directions in the Prosecution of the Six Members. Wherefore they thought not proper to resolve upon either of the Ways the King proposed. They contented themselves with replying in a second Petition, that finding there was still no legal and parliamentary Proceedings against the accused Members, they thought it their Duty once again to beseech his Majesty to inform the Parliament what Proof there was against them, that they might be called to a legal Trial, it being the undoubted Right and Privilege of Parliament, *that no Member can be proceeded against without the Consent of Parliament.*

The King plainly perceiving there would be no end, and that new Difficulties would be perpetually started, endeavoured to put a Determination to the Business at once by the following Answer.

The King's
3d Message.
 Rush. IV.
 p. 492.

That as he once conceived that he had Ground enough to accuse them, so now his Majesty finds as good Cause wholly to desert any Prosecution of them. And for a further Testimony of his Majesty's real Intention towards all his loving Subjects, (some of whom haply may be involved in some unknowing and unwilling Errors) for the better composing and settling of all Fears and Jealousies of what kind soever, his Majesty is ready to grant as free and general a Pardon for the full Contentment of all his loving Subjects, as shall by the Approbation of both Houses of Parliament be thought convenient for that purpose.

It was not difficult to perceive that the King offered this general Pardon only that it might be said, that the Six Members were exempted from the Rigour of the Law purely by virtue of the Pardon. But the Parliament not satisfied with the King's Offer, addressed a Third Petition to him, desiring that according to two *Acts* made in the 37th and 38th Years of the Reign of *Edward III**, his Majesty would be pleased to send the Persons that had made Suggestion or Information to him of the Crimes of the Six Members to the Parliament, that so the Rights and Privileges of Parliament might be vindicated, which of Justice ought not to be denied.

1641-2.
Parliament requires the Persons who advised the King.
Ruth. IV.
p. 492.
Feb. 14.

The King returning no Answer to this Petition, the Business rested here, except that in *April* following, the House of Peers gave Sentence against the Attorney General, declaring him incapable of all Offices, saving that of Attorney-General, and committing him to the Prison of the *Fleet* during the Pleasure of the *House*.

Sentence upon the Attorney-General.
April 23.

Though this Affair seemed to be at an End, the King was however upbraided with it afterwards a Thousand times. But before I finish it entirely, I believe it will not be amiss to make some Remarks on this Subject, that I may not be obliged to resume it hereafter.

Though the *Commons* made a great Noise about the Breach of their Privileges, that was not the Thing which most incensed them. Their great Grievance was, that the King had picked out, to accuse of High-Treason, five Members of the House, who were the chief Leaders and Directors. So that to

Remarks on the Conduct of the Commons.

* By these Acts it was enacted that, " If any Person whatsoever make Suggestion to the King himself of any Crime committed by another, the same Person ought to be sent with the Suggestion before the Chancellor or Keeper of the Great Seal, the Treasurer or the Great Council, there to find Surety to pursue his Suggestion; which if he cannot prove, he is to be imprisoned till he hath satisfied the Party accused of his Damages and Slander, and made Fine and Ransom to the King". *Rapin* by abridging this Paragraph too much has rendered it obscure.

1641. 2. accuse these five Members, was to accuse the whole House, as I observed before. Now if the King did believe the House guilty of Treason for having done what he accused but five Members of, what Assurance could there be that he would religiously observe his Promises, which, in his Opinion, were extorted from him by Traitors? There was reason then to suspect that the King had some grand Design, and before the Execution thereof, was willing to make sure of those who were most capable to cross it, as well by their Abilities as by their great Credit in the Parliament and with the People. This is the Impression which this unseasonable Accusation immediately made on the Minds of the Parliament. And to this contributed still farther the King's Zeal to seize the five Members, which he carried to that Height as to come in Person to the House of *Commons* to apprehend them, a Thing no King of *England* had ever done before him. Nay, it is very likely that had they been in the *House*, and made any Resistance, he would have carried them away by Force, with the Help of the armed Men who attended him to the Number of about Five Hundred. This was enough to incense against him those who had hitherto considered as a doubtful Point, whether his Promises were to be relied upon. It could not be conceived, that at a time when the moderate Members began to unite in his Favour, in order to establish a solid Peace, he should run into an Action so odious, and so obstructive of it, had he not intended to subdue the Parliament by Force. Thus the Complaints of both *Houses* about the Breach of their Privileges was properly only a Pretence to hide the true Reason of their Fears. As this Reason was not of sufficient Evidence to convince the People who could look upon it but as a bare Suspicion, they insisted only upon their Privileges, till they should be able to engage the King to declare himself more openly. Their real Aim was therefore to oblige the King to take some new Step, that might let the People see it was
not

not without Ground that the King was accused of having ill Designs. This certainly was the Motive of the Parliament's Petition, to be informed of the Proofs before the Way of proceeding should be resolved. This was a Snare laid for the King, to induce him to bring forth the Proof of a Crime, whereof the whole Parliament was no less guilty than the Members accused, and by that the People would have been convinced, that he struck at the Parliament itself. But the King avoided the Snare, by giving over the Prosecution rather than be obliged to produce Proofs which must have been prejudicial to him, after missing his Aim. It was not the Breach of Privilege, but the King's Intention that was the main Point in question. By his late Proceedings he had given occasion to think a Rupture between him and the Parliament was at Hand, since he had destroyed the mutual Trust and Confidence on which alone Peace and a good Understanding could be built. In this light must the Accusation of the Six Members be viewed, and not as a separate Fact relating only to the Privileges of Parliament.

It is therefore very little to the purpose, in my Opinion, that some have undertaken carefully to debate this Question, Whether the two *Houses* could lawfully refuse sending to Prison their Members accused of High-Treason? However, I shall briefly touch upon this Point for the Reader's Information.

It is certain that the Privileges of Parliament do not reach to Crimes of High-Treason; in such Cases the *Commons* have no more Right than the *Peers*. But however, it is an undoubted Maxim, that no Member can be proceeded against without the Consent of his *House*. When a Peer is accused, it is the Business of the House of Lords to examine whether the Prosecution ought to be consented to, and in case of Consent, whether the Party accused is to be confined or left free to answer to the Accusation. The Lords are determined to one or other, by the Nature
or

1641-2.

or Circumstances of the Crime. It is just the same with respect to the Members of the *Lower-House*. In the present Case, the *Commons* thought there was no Reason to send the Members accused to Prison, because the Accusation was too general. The King affirmed on the contrary, that upon a bare Accusation, under Colour that it was for High-Treason, he had Power to apprehend the accused, without the Consent of their *House*, and to commit them to the *Tower*. It is easy to perceive, that the King carried this Principle a little too far, *that the Privileges of Parliament take not Place in Cases of High-Treason*, since he stretched it to a bare Accusation of Treason. But a bare Accusation cannot deprive the Houses of Parliament, of the Right to examine if there be Ground to consent to the Prosecution, whether by direct Proof, probable Signs, or publick Evidence. Otherwise, the King might have pitched upon, not only five, but a Hundred Members of the *Lower-House*, and sent them to Prison upon the bare Accusation of Treason, which would render the Privileges of Parliament of no Effect. Nevertheless the King acted as if his Right had been undeniable though it was at least the very Point in Question. I shall not take upon me to clear this Matter any farther, it being clogged with Difficulties, the Solution whereof depends upon the Knowledge of the Laws and Customs of *England*. I shall only add, that the King did himself a very great Injury by this unseasonable Step, and that his Enemies took such Advantage of it, as helped in the End to bring on his Ruin.

The Commons very much mistrust the King's Sincerity.

Byron refuses to be examined by the Commons.
Nelson, II.
p. 845.

Whilst the Business of the accused Members was in Hand, the *Commons* did not cease to express an extreme Distrust towards the King. This Distrust daily increased, till at last it produced an entire Rupture.

January the 12th, the *Commons* sent an Order to Sir John Byron, Lieutenant of the *Tower*, to come and answer to such Questions as should be put to him, concerning the Arms and Ammunition sent to

Whitehall

Whitehall the same Day the King came to the House of *Commons*. But he excused himself for that he had the King's expresse Warrant not to go out of the *Tower*. 1641-2.

The King had returned in Answer to the Petition of both Houses about a Guard, that he would appoint one or two Hundred Men out of the Trained-bands of the City (such as the Lord-Mayor should be answerable for to him) under the Command of the Earl of *Lindsey*. But the *Commons* refused this Offer, and ordered that two Companies of the Trained-bands should every Day attend upon the House as a Guard, under the Command of Serjeant Major *Skippon*. *Commons appoint themselves a Guard.* Rush. IV. p. 495.

The Parliament's Distrust towards the King was daily inflamed by Accidents, which fell out one after another, and of which the King's Enemies knew how to make the most. Whilst Matters were in this Posture, the Parliament received Information that the Lord *Digby*, Colonel *Lunsford*, and other disbanded Officers were at *Kingston upon Thames*, with about two Hundred Horse. Whereupon it was ordered by both Houses, that the Sheriffs, calling to their Assistance the Trained-bands of the several Counties of *England* and *Wales*, should suppress all unlawful Assemblies gathered together to the Disturbance of the Peace of the Kingdom. They were afraid the King had a Design to secure *Portsmouth*, and it may be, their Fears were not groundless. However that be, they sent an Order to Colonel *Goring* Governour of *Portsmouth* requiring him not to deliver up the Town, nor receive any Forces into it, but by his Majesty's Authority signified by both Houses of Parliament. At the same time the Lords sent an expresse Order to the Lord *Digby* to give his Attendance in the House. But he thought fit to withdraw out of the Kingdom. There had now been Information that he was the Person that advised the King to accuse the Six Members of Parliament. Besides, the *Commons* were exasperated against him, on account of his Speech *Assembly of Officers at Kingston.* Jan. 12. Nalson, I. p. 846. Rush IV. p. 495. *The Lord Digby goes out of the Kingdom.*

1641-2. Speech against the *Bill of Attainder* of the Earl of *Strafford*, whilst he was Member of that House; so that the least Pretense was sufficient to draw their Resentment upon him.

Rush. IV.
p. 503.

The *Commons* made great Noise in the Kingdom to perswade the People his Majesty intended to secure *Portsmouth*. Nay, they caused several Witnesses to be examined upon that Head; but the Business was carried no farther. They were contented with sending for Admiral *Pennington*, who reported that the Lord *Digby* had shown him an Order under the King's own Hand, to convey him safely into *France* or *Holland*, and that he durst not disobey the Order.

The Commons send
Hotham
to secure
Hull.
Jan. 11.
Rush. IV.
p. 496.

The Parliament's Fears about *Portsmouth* made them think of *Hull*, a very important Place in the County of *York*. The *Commons*, far from hiding their Fears, studied rather to make them known. And therefore they sent a Message to the Lords, that there was at *Hull* a Magazine of Arms for sixteen Thousand Men, and Ammunition proportionable. That the Town being weakly garrisoned [and the adjacent Country full of Papists and ill-affected Persons] they desired their Concurrence in an Order that some of the Trained-bands of *Yorkshire* should be put into *Hull*, under the Command of Sir *John Hotham*, Member of the House of *Commons*, with Orders not to deliver up the Place, or Magazine, without the King's Authority signified by both Houses. To this the Lords readily consenting, young *Hotham*, Son to Sir *John*, was sent immediately to *Hull* to execute this Order, till his Father should be ready to go and take the Government of that Place.

Nothing is a clearer Evidence of the Parliament's Distrust, than this Order about *Hull*, seeing it could not be but upon the Supposition of an urgent Necessity, that they could pretend to place Governours in the Towns, and it was also this Necessity that they had a mind to insinuate to the People. However, the Sequel shows the Parliament had reason to take this Precaution.

After

After the Accusation of the Six Members scarce a Day passed but the Parliament expressed their Suspicions against the King, insomuch that every Thing manifestly tended to a Rupture. The better to persuade the People that the two Houses were apprehensive of some Violence from the King, and did not think themselves safe at *Westminster*, a Bill was passed to enable them to adjourn to any Place they pleased.

1541 2.
Bill for the
Parlia-
ment's ad-
journment
to any o-
ther Place.

They ordered likewise the Earl of *Newport*, Master of the *Ordinance*, and Lieutenant of the *Tower*, not to suffer any Cannon or Ammunition to be carried from thence. And for the better Safe-guard of the *Tower*, the Sheriffs of *London* and *Middlesex* were ordered to set a sufficient Guard both by Land Water about it, to hinder any Thing from being conveyed out. The same Day the *Commons* caused some great Saddles to be seized that were to be sent to *Kingston*.

A Guard
set about
the Tower
Rush. IV.
P. 496.

Moreover, Mr. *Bagshaw* of *Windsor*, Member of the House of *Commons*, informed them, that last Night as he was going to *Windsor* (where the King then was) he saw divers Troops of Horse, and that there came a Waggon loaded with Ammunition thither, and that another Waggon loaded with the same, was sent from thence to *Portsmouth*. Adding, there were at *Windsor* four Hundred Horse, with about forty Officers. Whereupon *Skippon* was ordered to detach some Horsemen towards *Windsor* to get Intelligence. But in all Appearance there was no Discovery of any Moment made, since the Thing was no farther mentioned.

False In-
formation
given to
the House.
Rush. IV.
P. 497.

After that the *Commons* desired the Lords to join with them in a Petition to the King, for the Removal of Sir *John Byron* from the Lieutenantancy of the *Tower*, and offered their Reasons. But the Lords thought fit to decline it.

The Lords
decline pe-
titioning
against
Byron.
Rush. IV.]
P. 497.
Jan. 15.

Mean while, the Lords being informed by the Earl of *Essex*, that the King had laid his Commands upon him and the Earl of *Holland*, to attend his Ma-

The Peers
forbid
Essex and
Holland
to go to the
King.
Nalson, II.
p 836.
Rush IV.
p. 497.

jefty

1641-2. jesty at *Hampton-Court* as Lord-Chamberlain, and Groom of the *Stole*, they would not dispense with their Absence, alledging that their Attendance in Parliament about the high Affairs of the Realm was truer Service to his Majesty, than any they might do him at Court. The King soon after removed both these Lords from their Places.

Difference between the two Houses about the Scotch Succours.
Rush. IV. p. 498.

The Scotch Commissioners offer their Mediation.

The King rejects it.

The Parliament accepts it.

The Scots send 2500 Men into Ireland.

During these Differences between the King and Parliament, *Ireland* remained unassisted. The *Commons* would not pay ten Thousand Men, who should be levied by the King's Commissions. They pretended that these Troops should be raised by way of *pressing*, in order to chuse such for Soldiers as should be least attached to the King, and that the King should have no Hand in the Levies. The *Bill* for *pressing* had been sent up to the Lords, who had not yet passed it, of which the *Commons* very much complained. At last the *Scotch* Commissioners seeing that the Differences between the King and Parliament retarded the Conclusion of the Treaty for which they were sent, bethought themselves of offering their Mediation to the King and both Houses, to procure an Accommodation. But the King was offended at their Offer, because they had not first communicated their Intentions to him in private. The two Houses on the contrary, thanked them for this Mark of their Affection.

Mean while, the Committee for the *Irish* Affairs finding that Kingdom stood in need of a speedy Assistance, and no likelihood that the Treaty for the ten Thousand *Scots* could be concluded soon enough, made a fresh Proposal to the *Scotch* Commissioners. Which was, that the *Scots* should send into *Ireland* two Thousand five Hundred Men, who were all ready, till the Treaty for the ten Thousand should be ended; to which the Commissioners of *Scotland* agreed. To that purpose they propounded certain Conditions, which were approved by both Houses. But the King objected to one of the Conditions, which was, that *Carrick-Fergus*, a Sea-port Town in the North of *Ireland*

land, should be put into the Hands of the *Scots*. He said, it was too great a Trust for Auxiliary Forces. Nevertheless, seeing the Parliament willing to confide in the *Scots*, he thought he should not show less Trust in his native Subjects. It must be observed, that the King and *Commons* expressed an equal Desire to assist *Ireland*, but each would have it done his own way. The King wanted to have an *English* Army sent thither, and blamed the *Commons* for not hastening the Levies. The *Commons* on their Side, suspected that the King's Aim was to leave *England* unprovided of Men, Arms and Ammunition. And therefore they insisted upon the Treaty of *Scotland* for ten Thousand Men, and charged the King with being the sole Cause of the Obstacles which occurred in the Conclusion of the Treaty. Nay, they plainly hinted that although the King seemed to press the Relief of *Ireland*, he had no real intent that Kingdom should be relieved. Necessity however obliged the King and both Houses to accept at length of the two Thousand five Hundred *Scots*, who were sent into the North of *Ireland*, where they did good Service.

1641-2.

*Different
Aims of
the King
and Parli-
ament
with re-
gard to
Ireland.*

The *Commons* ceased not to show openly their Distrust with regard to the King. This was absolutely necessary for the Execution of the Designs of those who then had the chief Management of the Affairs of the House. But it does not follow, because it was necessary publicly to make known this Distrust, that therefore it was not real. The leading Men of this Party did not believe indeed they had reason to trust the King, and withal it was their Interest to let the Publick see the Grounds of their Distrust. This is what they did in a solemn manner, by means of a Speech spoken by Mr. *Pym* at a Conference with the Lords. This Speech deserves to be inserted at length, because it shows by what Steps the *Commons* endeavoured to compass their Ends :

*Remark on
the Com-
mons Dis-
trust.*

My

1641-2.

My LORDS,

Mr. Pym's
Speech to
the Lords.
Rush. IV.
p. 503.

I Am commanded by the Knights, Citizens, and Bur-
gesses, assembled for the Commons in Parliament, to
present to your Lordships divers Petitions, which they
have received from several Parts concerning the State of
the Kingdom: Whereunto they are moved by that con-
stant Affection which they have always expressed of main-
taining a firm Union and good Correspondence with your
Lordships; wherein they have ever found much Advan-
tage, and Contentment; but never held it more important
and necessary, than at this Time, wherein the Wisdom
and Resolution of Parliament have as many great Dan-
gers and Difficulties to pass through, as ever heretofore.

We are united in the publick Trust, which is derived
from the Commonwealth, in the common Duty and Obli-
gation whereby God doth bind us to the Discharge of that
Trust; and the Commons desire to impart it to your Lord-
ships, whatsoever Information or Intelligence, whatsoever
Incouragement or Assistance they have received from those
several Countries which they represent, that so we may
be united in the same Intentions and Endeavours of Im-
proving all to the Service of his Majesty, and the common
Good of the Kingdom.

The Petitions which I am directed to communicate to
your Lordships, are four; from London, Middlesex,
Essex, and Hertfordshire. We have received many
more, but it would take up too much Time, and be too
great a trouble to peruse all: And in these four, you
may perceive the Effect and Sense of all: First, I am to
desire your Lordships to hear them read, and then I
shall peruse my Instructions in propounding some Obser-
vations out of them.

The

The PETITION *of the* LORD-
MAYOR *and* ALDERMEN *of* Lon-
don.

Sheweth,

“ THAT the Committee of this Honourable
“ House upon *Saturday* the 22d of this Instant
“ *January*, sent a Message to the Petitioners for the
“ Loan of *One Hundred Thousand Pounds*, or of so
“ much thereof as could conveniently be forthwith
“ raised, for levying of Forces to suppress the Re-
“ bels in *Ireland*: To which Message something was
“ then answered, and a further Answer in Writing
“ promised.

“ In Performance whereof they humbly present
“ the Answer following, together with the Reason
“ thereof, desiring that the same (being the best that
“ for the present they are able to give) may favour-
“ ably be accepted.”

As this Answer is very long, and contains several Particulars not absolutely necessary, I shall content my self with inserting here what is most material.

“ That how sensible soever they were of the great
“ Miseries of their Brethren in *Ireland*, and of the
“ imminent Danger, not only of the total Loss of
“ that Kingdom, but of the Ruin of this also, if that
“ of *Ireland* should be lost; yet they are compelled
“ to declare, *That they have no Power to raise any*
“ *Sums by way of Tax for any Foreign Use*; and that
“ they have no Means to do it, otherwise than by
“ the immediate personal Consent of every particu-
“ lar Lender, which they cannot hope to obtain, in
“ regard of these *Obstructions* following.

1641-2.

“ 1. That immediately before the Parliament,
 “ and since, divers great Sums for the Service of the
 “ King and Kingdom have been already lent by the
 “ Citizens of *London*, besides 50,000 *l.* for the Sup-
 “ ply of *Ireland* in particular ; a great part where-
 “ of some of the Lenders were compelled to borrow,
 “ and cannot to this Day repay.

“ 2. That such part of those Moneys as should
 “ have been repaid out of the Poll-Money and Sub-
 “ sides, is not yet done.

“ 3. That the said Sum of fifty Thousand Pounds
 “ lent for *Ireland* was hastened and speedily paid, upon
 “ account of the urgent Necessities of that King-
 “ dom ; and yet no considerable Forces are sent
 “ thither to this Day.

“ 4. The general with-holding of very great
 “ Sums of Money from the Petitioners and many
 “ others, doth render divers Persons of good E-
 “ states and Credit, hardly able to go on with
 “ Trade, or to pay their Debts, and maintain their
 “ Charge.

“ 5. The refusing to accept the Offers of *Scotland*
 “ to send ten Thousand Men into *Ireland*, discour-
 “ rageth most Men from lending any Money, were
 “ they never so able.

“ 6. The not passing the *Bill* for *pressing* of Sol-
 “ diers, puts many Men into Fears, that there may
 “ be some Design rather to lose *Ireland*, and to con-
 “ sume this Kingdom in the losing of *Ireland*; than
 “ to preserve either the one or the other ; for that it
 “ cannot be conceived, that the Rebels (being
 “ grown so powerful) will be suppressed by Volun-
 “ teers (a).

“ 7. The

(a) They would insinuate by this, that an Army raised in the usual manner by the King's Commissions, would be very unfit to reduce *Ireland*, because the King did not wish the Rebels to be subdued.

“ 7. The slow issuing of Commissions to those
 “ who being in *Ireland*, or going thither, are willing
 “ to enter the Field against the Rebels, disables them
 “ from doing any effectual Execution upon the Ene-
 “ my, unless in their own Defence; and so all the
 “ Moneys that have been, or may be sent thither,
 “ are exhausted to maintain our Forces to do little
 “ or nothing worthy of them, rather than employed
 “ to chastise the Rebels: By means whereof those
 “ Rebels are so much emboldened, that they boast
 “ they will extirpate the *British* Nation there, and
 “ then make *England* the Seat of War.

“ 8. The not disarming of *Papists* here in *Eng-*
 “ *land*, after many Discoveries of their Treache-
 “ ries and bloody Designs; the great Decays of
 “ Fortifications, Block-houses, and other Sea-forts;
 “ the not managing of them, nor furnishing them
 “ with Ordnance and Ammunition; the not placing
 “ all of them in such Hands in whom the Parliament
 “ may confide; and the not settling this Kingdom in
 “ a Posture of Defence, in times of so many Fears
 “ and Jealousies of foreign Invasions and intestine
 “ Conspiracies; the not removing the present Lieu-
 “ tenant of the *Tower*, and putting such a Person
 “ into that Place, as may be well approved of by
 “ the Parliament, notwithstanding the earnest Peti-
 “ tions exhibited to the House of Commons for
 “ that purpose, which hath produced a Forbearance
 “ to bring Bullion into the *Tower*, in this time of
 “ Scarcity of Moneys; all which cannot but over-
 “ throw Trading more and more, and make Mo-
 “ neys yet more scarce in the City and Kingdom.

“ 9. The King's Ships are not fitted and em-
 “ ployed as the present Condition of this Kingdom
 “ and *Ireland* requires, but some of them for con-
 “ veying away of Delinquents. (a)

(a) They mean the Lord Digby.

1641-2.

“ 10. The not questioning those many Thousands
 “ of unknown Persons who are sheltered in *Covent-*
 “ *Garden*, and thereabouts, which do not employ
 “ themselves in any lawful Calling, and it's very pro-
 “ bable lie in a Readiness to adventure upon some
 “ desperate Attempt.

“ 11. The Misunderstanding between the King
 “ and the Parliament, the not vindicating the Pri-
 “ vileges of Parliament, the not suppressing of Pro-
 “ tections, the not punishing of Delinquents, and
 “ the not executing of all Priests and Jesuits legally
 “ condemned, while others contrary to Privilege of
 “ Parliament have been charged with Treason.

“ 12. By means of the Premisses there is such
 “ Decay of Trading, and such Scarcity of Money, as
 “ it is likely in very short time to cast innumerable
 “ Multitudes of poor Artificers into such a Depth
 “ of Poverty and Extremity, as may enforce them
 “ upon some dangerous and desperate Attempts.

“ These are the Evils under which the Petitioners
 “ do exceedingly labour and languish, which they
 “ humbly conceive to have sprung from the em-
 “ ploying of ill-affected Persons in Places of Trust
 “ and Honour in the State, and near to the sacred
 “ Person of his Majesty; and that these Evils are
 “ still continued by means of the *Votes* of *Bishops* and
 “ *Popish Lords* in the House of Peers”.

Rush. IV.
 p. 506.

The Petitioners of the County of *Essex* thanked the *Commons* for their extraordinary Care, representing to them withal, that they were still apprehensive of a *great Stop of Reformation in Matters of Religion*, and of the whole Kingdom's being in great Danger from the *Papists*: nor could they expect any redress, unless the Bishops and *Popish* Lords were removed out of the House of *Peers*.

Ibid.

p. 507.

The Petitioners of the County of *Hertford* prayed that the *Papists* might be [fully] disarmed; the Kingdom put into a Posture of Defence; the Forts and strong Places committed to such Hands as the
 Parliament

Parliament might confide in; the Privileges of Parliament repaired; Endeavours used to take away the Votes of *Popish* Lords and Bishops; *Ireland* speedily relieved; *Delinquents* brought to further Punishment; Pressures and Grievances in Church and State removed; and whatever should be amiss reformed.

These Petitions being read, Mr. *Pym* went on with his Speech in this manner :

My LORDS,

“ IN these Four Petitions you may hear the Voice,
 “ or rather the Cry of all *England*, and you cannot wonder if the Urgency, the Extreimity of the
 “ Condition wherein we are, do produce some Earnestness and Vehemency of Expression more than
 “ ordinary; the Agony, Terror and Perplexity in
 “ which the Kingdom labours is universal, all Parts
 “ are affected with it; and therefore in these, you
 “ may observe the Groans and miserable Complaints
 “ of all. Divers Reasons may be given why those
 “ Diseases which are epidemical are more dangerous
 “ than others: The Cause of such Diseases is universal and supernatural, not from an evil Constitution, or evil Diet, or any other Accident; and
 “ such Causes work with more Vigour and Efficacy
 “ than those which are particular and inferior. 2. In
 “ such Diseases there is a communicative Quality,
 “ whereby the Malignity of them is multiplied and
 “ enforced. 3. They have a converting, transforming Power, that turns other Diseases and evil
 “ Affections of Mens Bodies into their own Nature.

“ The common and epidemical Disease wherein
 “ this Commonwealth lies now gasping, hath a superior and universal Cause from the evil Counsels
 “ and Designs of those, who under his Majesty bear
 “ the greatest Sway in Government. 2. It hath a
 “ contagious and infectious Quality, whereby it is
 “ diffused and disperst through all the Parts of the
 “ Kingdom. 3. It is apt to take in the Discontents,

1641-2. “ evil Affections and Designs of particular Persons
 “ to encrease and fortify itself.

“ I shall take occasion from several Branches of
 “ these Petitions which your Lordships have heard,
 “ to observe :

“ 1. The variety of Dangers to which this King-
 “ dom is now subject.

“ 2. The manifold Distempers which are the Cause
 “ of those Dangers.

“ 3. The multiplicity of those evil Influences,
 “ which are the Causes of those Distempers.

“ The first Danger is from Enemies Abroad :
 “ This may seem a causeless and impertinent Obser-
 “ vation at this Time, seeing we are at Peace with
 “ all Nations about us : But (my Lords) you may
 “ be pleased to consider, that the Safety of the
 “ Kingdom ought not to depend upon the Will and
 “ Disposition of our Neighbours, but upon our own
 “ Strength and Provision : Betwixt States there are
 “ often sudden Changes from Peace to War, accord-
 “ ing to Occasion and Advantage : All the States of
 “ Christendom are now armed, and we have no
 “ Reason to believe but that those of greatest Power
 “ have an evil Eye upon us in respect of our Reli-
 “ gion : And if their private Differences should be
 “ composed, how dangerously, how speedily might
 “ those great Armies and other Preparations now
 “ ready, be applied to some Enterprize and Attempt
 “ against us ? And if there were no other Cause,
 “ this were sufficient to make us stand upon our
 “ Guard ; but there are divers more especial Symp-
 “ toms of Dangers of this kind. We may perceive
 “ by several Advertisements from Abroad, that they
 “ did foresee our Dangers many Months before they
 “ broke out ; they could foretel the Time and Man-
 “ ner of them, which is a clear Evidence they
 “ held Intelligence with those which were the Con-
 “ trivers and Workers of the present Troubles. We
 “ have many dangerous Traytors and Fugitives now
 “ in

1641-2.

“ in other Parts, who can discover the Weakness
 “ and Distemper of the Kingdom ; who hold Intel-
 “ ligence with the ill-affected Party here, and by all
 “ cunning and subtile Practices endeavour to incite
 “ and provoke other Princes against us. Some of
 “ the Ministers of our neighbouring Princes may be
 “ justly suspected to have had a more immediate
 “ Hand and Operation in the Infurrection and Rebel-
 “ lion of *Ireland* ; many of the Commanders, and most
 “ of the Soldiers levied for the Service of *Spain*, are
 “ now joined with the Rebels there ; and those *Irish*
 “ Friars which were employed by the *Spanish* Am-
 “ bassador for the making of those Levies, are known
 “ to have been the chief Incendiaries of this Rebel-
 “ lion, and are still very active in the Prosecution
 “ and Encouragement of it. The Rebels have a
 “ ready and speedy Supply from some of our Neigh-
 “ bours. Two Convoys of Munition and Arms we
 “ are certainly informed of ; one from *Dunkirk*, the
 “ other from *Nants* in *Britany* ; and certainly those
 “ that are so forward to enable others to hurt us,
 “ will not forbear to hurt us themselves, as soon as
 “ they shall have Means and Opportunity to do it.

“ Another Danger is from the *Papist* and ill-af-
 “ fected Party at Home. The *Papists* here are acted
 “ by the same Principles with those in *Ireland*, many
 “ of the most active of them have lately been there ;
 “ which argues an Intercourse and Communication of
 “ Council. They have still store of Arms and Mu-
 “ nition at their disposing, notwithstanding all our
 “ Endeavours to disarm them ; they have a free Re-
 “ sort to the City and to the Court ; they want no
 “ Opportunity to consult together ; they have the
 “ same or greater Encouragement from above, and
 “ from about (a), than ever, in respect of the Ex-
 “ ample and Success of the Rebels in *Ireland*, and
 “ the great Confusions and Divisions which by their

(a) That is to say, from the King, Queen and Ministry.

1641—2. “ cunning and subtile Practices are raised and fo-
 “ mented amongst our selves at Home.

“ A Third Danger is of *Tumults* and Insurrec-
 “ tions of the meaner sort of People, by reason of
 “ their ill Vent of Cloth and other Manufactures,
 “ whereby great Multitudes are set on work, who
 “ live for the most part by their daily Gettings, and
 “ will in a very short Time be brought to great Ex-
 “ tremity, if not employed : Nothing is more sharp
 “ and pressing than *Necessity* and *Want* ; what they
 “ cannot buy they will take, and from them the
 “ like Necessity will quickly be derived to the Farm-
 “ ers and Husbandmen ; and so grow higher, and
 “ involve all in an equality of Misery and Distress,
 “ if it be not prevented. And at this time such Tu-
 “ mults will be dangerous, because the Kingdom is
 “ full of disbanded Soldiers and Officers, which will
 “ be ready to head and to animate the Multitude to
 “ commit Violence with more Strength and Advan-
 “ tage ; and if they once grow into a Body, it will
 “ be much more difficult to reduce them into Order
 “ again, because Necessity and Want, which are
 “ the Cause of this Disturbance, will still encrease
 “ as the Effects do encrease.

“ A Fourth Danger is from the Rebels in
 “ *Ireland*, not only in the respect of that Kingdom,
 “ but in respect of *This*. They have seized upon
 “ the Body of that Kingdom already ; they abound
 “ in Men of very able Bodies ; they encrease in Arms
 “ and Munition ; they have great Hopes of Sup-
 “ plies from Abroad, of Encouragement *here*, and
 “ are sure of good Entertainment from the *Popish*
 “ Party, so that they begin to speak already there
 “ of transporting themselves hither, and making
 “ this Kingdom the Seat of the War. The Distem-
 “ per which hath produced these Dangers is vari-
 “ ous and exceeding violent. Whensoever Nature
 “ is hindered in her proper Operations and Faculties,
 “ Distempers will necessary follow.

“ The

“ The *Obstructions* which have brought us into
 “ this Distemper, are very many, so that we cannot
 “ wonder at the Strength and *Malignity* of it. Some
 “ of the chiefest of these Obstructions I shall endeavour to remember.

“ 1. The Obstruction of *Reformation in Matters of Religion* : No Grievances are sharper than those
 “ that press upon the tender Consciences of Men ;
 “ and there was never Church or State afflicted with
 “ more Grievances of this kind than we have been.
 “ And though they are by the Wisdom of this Parliament partly eased and diminished, yet many still
 “ remain ; and as long as the Bishops, and the corrupt part of the *Clergy* continue in their Power,
 “ there will be little hopes of Freedom, either from
 “ the Sense of those which continue, or the Fear of those which are removed. And of this Obstruction,
 “ on, (*My Lords*,) I must clear the *Commons*, we are
 “ in no part guilty of it ; some good *Bills* have
 “ past us, and others are in Preparation, which
 “ might have been passed before this, if we had not
 “ found such ill Success in the other. Whatsoever
 “ Mischief this Obstruction shall produce, we are
 “ free from it ; we may have our part in the Misery,
 “ we can have no part in the *Guilt* or Dishonour.

“ 2. An *Obstruction in Trade* : It is the Trade that
 “ brings Food and Nourishment to the Kingdom :
 “ It is that which preserves and encreases the Stock
 “ of the whole, and distributes a convenient Portion
 “ of Maintenance to every part of it ; therefore such
 “ an Obstruction as this must needs be dangerous ;
 “ the freedom of Trade being so necessary, the Benefit so important, as that it gives Life and
 “ Strength and Beauty to the whole Body of the
 “ Commonwealth ; but I must protest the House of
 “ Commons hath given no Cause to this Obstruction ;
 “ we have eased Trade of many Burthens and
 “ heavy Taxes, which are taken off ; we have freed
 “ it from many hard Restraints by Patents and Monopolies ;

1641-2. “ nopolies ; we have been willing to part with our
 “ own Privileges to give Encouragement ; we have
 “ sought to put the Merchants into Security and
 “ Confidence in respect to the *Tower of London*, that
 “ so they might be invited to bring in their *Bullion*
 “ to the Mint, as heretofore they have done, and
 “ we are no way guilty of the Troubles, the Fears,
 “ and publick Dangers which make Men withdraw
 “ their Stocks, and keep their Money by them, to
 “ be ready for such sudden Exigents, as in these
 “ great Distractions we have too much Cause to ex-
 “ pect.

“ 3. The *Obstructions in the relief of Ireland*. It
 “ must needs be accounted a great *Shame* and Dis-
 “ honour to this Kingdom, that our Neighbours
 “ have shewed themselves more forward to supply
 “ the *Rebels*, than we have been to relieve our dis-
 “ tressed Brethren and fellow Subjects. But I must
 “ declare that we are altogether innocent of any neg-
 “ lect therein. As soon as the first News of the
 “ Rebellion came over, we undertook the War,
 “ not by way of Supply and Aid, as in former Re-
 “ bellions the Subjects have used to do, but we un-
 “ dertook the whole Charge of it, and we suffered
 “ not Twenty-four Hours to pass, before we agreed
 “ to a great Levy of Money and Men, to be em-
 “ ployed against the Rebels, even in a larger Pro-
 “ portion than the Lord's Justices and Counsel there
 “ did desire ; and from time to time we have done
 “ all for the furtherance thereof, though in the
 “ midst of many Distractions and Diversions ; but
 “ the *want of Commission* for levying of Men, for
 “ issuing Arms, and divers other Impediments, have
 “ been the Causes of that Obstruction ; and I wish
 “ we had not only found Impediments to our selves,
 “ but also Encouragements to them. *Many of the*
 “ *chief Commanders*, now in the Head of the Rebels,
 “ *after we had with your Lordships Concurrence stopt*
 “ *the Ports against the Irish Papists, have been suffered to*
 “ *pass by his Majesty's immediate Warrant*, much to the
 “ discouragement-

“ discouragement of the Lords Justices and the
 “ Council there, and this procured, as we believe,
 “ by some evil Instrument too near his Regal Per-
 “ son without his Majesty’s Knowledge and Intenti-
 “ ons. 1641-2.

“ 4. *The Obstruction in Prosecution of Delinquents :*
 “ Many we have already brought unto your Lord-
 “ ships ; divers others we have been discouraged to
 “ transmit ; such difficult Proceedings have we met
 “ withal ; such Terrors and Discountenance have
 “ been cast upon our selves and our Witnesses, and
 “ those who have shewed themselves their Friends
 “ and Patrons, have found it the most ready way to
 “ Preferment (a) ; yea his Majesty’s own Hand hath
 “ been obtained, his Majesty’s Ships been employed
 “ for the transporting of divers of those who have
 “ fled from the Justice of the Parliament (b).

“ 5. *A general Obstruction and Interruption of the*
 “ *Proceedings of Parliament,* by those manifold De-
 “ signs of Violence (which through God’s Mercy
 “ we have escaped) by the great and frequent Brea-
 “ ches of Privilege, by the subtle Endeavours to raise
 “ Parties in our House, and Jealousies betwixt the
 “ two Houses.

“ 6. *The Obstruction in providing for the Defence*
 “ *of the Kingdom,* that we might be enabled to resist
 “ a foreign Enemy, to suppress all Civil Insurrecti-
 “ ons ; and what a pressing Necessity there is of
 “ this, the exceeding great Decays in the Navy, in
 “ the Forts, in the Power of ordering the *Militia* of
 “ the Kingdom, and means of furnishing them with
 “ Munition, are sufficient Evidences, known to none
 “ better than your Lordships ; and what Endeavour
 “ we have used to remove them (but hitherto with-
 “ out the Success and Concurrence which we expect)
 “ and where *the stop* hath been, and upon what good
 “ Grounds, we may claim our own Innocency and
 “ Faithful-

(a) The Lord Digby is chiefly meant.

(b) *Fermyn* and Digby.

1641-2. " Faithfulness in this, we desire no other Witnesses
" but your selves.

" Lastly, I come to the evil Influences which
" have caused this Distemper, and I shall content
" my self to mention some few of those which are
" most apparent and important.

" 1. In the first Place, I shall remember the evil
" Counsels about the King, whereof we have often
" complained. *Diseases of the Brain are most dangerous* ; because from thence *Sense and Motion* are derived to the whole Body. The Malignity of evil
" Counsels will quickly be infused into all parts of
" the State. None can doubt but we have exceedingly laboured under most dangerous and mischievous Counsels. This evil Influence hath been the
" Cause of the Preparations of War with *Scotland*, of
" the procuring a Rebellion in *Ireland*, of corrupting
" Religion, suppressing the Liberty of this Kingdom,
" and of many fearful and horrid Attempts, to the
" subverting the very Being of Parliaments, which
" was the only hopeful Means of opposing and preventing all the rest : And this doth appear to be
" a most predominant Evil of the Time ; whereat
" we need not wonder when we consider *how* Counsellors have been preferred and prepared. And I
" appeal to your Lordships own Consciences, whether the giving, and the countenancing of evil
" Counsels, hath not been almost the *only way to further Advancement*.

" 2. The Discouragement of *good Counsels*. Divers
" honest and approved Counsellors have been put
" from their Places ; others so discountenanced, as
" that the way of Favour hath been shut against
" them, and that of Danger and Destruction only
" open to them.

" 3. The great Power that an interested and factious Party hath in the Parliament, by the Continuance of the Votes of the Bishops and Popish
" Lords in your Lordships House ; and the taking
" in

“ in others both out of the House of *Commons*, and 1641 2.
“ otherwise to increase their Strength.

“ 4. The fomenting and cherishing of a malignant
“ Party throughout the whole Kingdom.

“ 5. The manifold *Jealousies* betwixt the King,
“ his Parliament, and good Subjects, whereby his
“ Protection and Favour hath in a great Measure been
“ with-held from them; their Inclinations and Reso-
“ lution to serve and assist him, hath been very much
“ hindered and interrupted: we have often suffered
“ under the Misinterpretation of good Actions, and
“ false Imputation of Evil, which we never intend-
“ ed. So that we may justly purge our selves from
“ all Guilt of being Authors of this Jealousy and
“ Misunderstanding: We have been and are still rea-
“ dy to serve his Majesty with our Lives and For-
“ tunes, with as much Chearfulness and Earnestness
“ of Affection, as ever any Subjects were, and we
“ doubt not but our Proceedings will so manifest
“ this, that we shall be as clear in the Apprehension
“ of the World, as we are in the Testimony of our
“ own Consciences.

“ I am now come to a Conclusion, and I have
“ nothing to propound to your Lordships by way
“ of Request or Desire from the House of *Commons*:
“ I doubt not but your Judgments will tell you what
“ is to be done; your Consciences, your Honours,
“ your Interest will call upon you for the doing of
“ it; the *Commons* will be glad to have your Help
“ and Concurrence in saving the Kingdom; but if
“ they should fail of it, it should not discourage
“ them in doing their Duty. And whether the King-
“ dom be *lost* or *saved* (as through God's Blessing I
“ hope it will be) they shall be sorry that the Story
“ of this present Parliament, should tell Posterity,
“ that in so great a Danger and Extremity, the *House*
“ of *Commons* should be enforced to save the Kingdom
“ alone, and that the House of Peers should have
“ no part in the *Honour* of the Preservation of it,
“ you having so great Interest in the good Success
“ of;

- 1641-2. “ of those Endeavours in respect of your great Estates, and high Degrees of Nobility.
 “ *My Lords*, Consider what the present Necessities and Dangers of the Commonwealth require, what the *Commons* have reason to expect, to what Endeavours and Counsels the concurrent Desires of all the People do invite you : So that applying your selves to the Preservation of the King and Kingdom, I may be bold to assure you, in the Name of all the *Commons* of *England*, that you shall be bravely seconded.”

*Remarks
on this
Speech.*

I thought proper to insert this whole Speech, because we manifestly see here, the Resolution taken by the *Commons* to strip the King of great part of his Prerogatives, which they termed saving the Kingdom. In the next Place, we see here the Plan they were forming, under Colour of applying a Cure to the epidemical Distemper, the Dangers whereof Mr. *Pym* described methodically. Though he did not explain the manner of curing it, it was easy to infer from his Speech, that it was necessary to prevent the Dangers, remove the Causes, and apply strong Antidotes against the ill Influences which inflamed the Disease.

The first Remark I shall make on this Speech, is, that it was but a Preparative to dispose the People to see without Surprise the violent Remedies which were intended to be made use of to remove a Distemper that was industriously represented as almost incurable. It would be no hard Matter to show that all the subsequent Steps taken by the *Commons* were hinted in this long Speech, were I not apprehensive it would lead me too far.

I shall add another Remark which is no less important and requisite : And that is, if the Projects of the *Commons* had been built only upon idle Notions and Chimera's, they would never have met with so many Adherents ready and eager to bring them about. Had not the People of *England* been ever oppressed,

pressed, it would have been in vain to endeavour to persuade them they had actually been so. Had not the King attempted to establish an Arbitrary Power, had not his Ministers, his Counsellors, all Persons in publick Offices, helped to execute this Design, how would it have been possible to convince the People of the reallity of the same? If the Bishops and *High-Commission* had not abused their Power; if in order to be at a greater Distance from the *Presbyterians*, they had not introduced Ceremonies and Innovations, wherein there was but too much Affectation of imitating the *Romish* Religion, never could the People have been persuaded that there was a Design to introduce *Popery*. Had the King always strictly kept his Word, which way would it have been practicable to inspire the People with so great a Distrust towards him? By what Band would the Members of Parliament have been united together in the Design of lessening the King's Power? How should such a Thought have come into their Minds? We may venture then to affirm, that these Projects were built upon very real and true Facts, but of which the *Presbyterians* knew how to make the most, in order to compass their private Ends. Nevertheless it must be owned, that the greatest part of these Facts were aggravated, strained Consequences drawn from some, and even groundless Insinuations added to them.

In fine, I shall further observe, that they who say these *Petitions* presented to the House of *Commons* were all begged, seem to say it with Reason, or at least with great Probability. It is pretty hard to believe that the People to whom these *Petitions* were ascribed, could have used a Language so agreeable to the Aim and Intentions of the *Commons*, if they had not been drawn up by Persons fully informed of their Designs. It is true, in answer to this Objection, it is alledged, that these *Petitions* were not formed upon the Views of the *Commons*, but that the House framed their Resolutions upon these *Petitions*, which informed them of the Nation's Desires. But we do not find

Petitions

1641-2. that they ever framed their Resolutions upon other *Petitions* directly contrary to these which were also presented to them from Time to Time, and which squared not with their Principles. On the contrary, we see that for the most part these last were rejected, or no notice taken of them.

The Commons
thank Mr.
Pym.
The King
complains
of some
Words in
it.

Feb. 7.
Rush. IV.
P. 511.

The House
stands by
what Pym
had said.

The House of *Commons* were so pleased with Mr. *Pym's* Speech, that Mr. *Speaker* was ordered to give him Thanks for it, and to desire him to print the same, that it might be dispersed among the People. But the King took great Offence at it, particularly, at what Mr. *Pym* said concerning *Passes* granted for Ireland, That since the Stop upon the Ports against all Irish Papists, by both Houses, many of the chief Commanders, now in the Head of the Rebels, have been suffered to pass by his Majesty's immediate Warrant. The King said, it was a black Calumny, and demanded by a Message, that the House should make him a solemn Reparation, and disavow what *Pym* had asserted; but the *Commons*, who were not then in the Mind to oblige the King, answered, that what Mr. *Pym* had said was agreeable to the Sense of the House. That it was true, since the Stop upon the Ports by both Houses, several Persons who were now Commanders among the Rebels, had passed into Ireland with his Majesty's immediate Warrant, some of whom they named. The King replied, that these *Passes* were obtained whilst he was in Scotland, and before he knew of the Order of Parliament, and insisted upon the Vindication he had already required. The *Commons* answered by a Declaration, maintaining what they had advanced, and adding that his Majesty's *Passes* were not only for those they had before named, but also for such a one * and his Company, for such a one *† and four other Persons. The King replied, what *Pym* said in his Speech was built upon Inferences

* Namely, Colonel *Butler*, whose Brother was General of the Rebels in *Munster*. He was Uncle to the Earl of *Ormond*.

† The Lord *Delvin*, and four Persons unnamed, of whom *Plunket* was one.

ferences drawn from these *Passes*, which were slender Proofs to ground Belief upon. He insisted again upon Reparation: but the *Commons* thought not proper to return any Answer.

This Dispute between the King and the Parliament was of little moment, in comparison of another which was started at the same Time, and which was attended with sad Consequences, I mean, that about the *Militia* and Command of the Forts. But for the better Understanding this Affair, which is one of the Principal of the present Reign, a Man must necessarily know what had been done already in the Matter.

*Difference
between
the King
and Par-
liament
about the
Militia.*

After the King's Return from *Scotland*, it was easy for him to perceive that the *Commons* intended to rob him of great part of his Authority. The *Remonstrance of the State of the Kingdom*, presented to him at a time when without such a Design it seemed very needless, was as it were the Signal of the War which was preparing against him. Whatever had been done since tended only to the same End, that is, to cry down the King's Government, and impute to him sundry Designs, under the Name of his Counsellors, of the Papists, and of an ill-affected Party. It is no great wonder that finding himself in this ill Situation, he thought betimes of providing against the Attacks to which very likely he was going to be soon exposed. But who can affirm, that if he had succeeded in putting himself in a Posture of Defence, he would have stood upon the Defensive only? However this be, the Precautions he would have taken against his Enemies, served but to render their Accusations more plausible.

In the Month of *January* 164 $\frac{1}{2}$, and at the Time that the Business of the Members accused and the Breach of Privileges was warmly debating, the King, not knowing how Matters might end, formed the Design of securing *Hull*. This Place was very considerable, both by its Situation, and by reason of a large Magazine of Arms and Ammunition, which

1641-2. might be of great Advantage to him that should have it in his Power, in case of a Rupture. To this end, the Earl of *Newcastle*, by the King's Order, came to *Hull* under a counterfeit Name, to consult with some of the King's Friends, and amongst others with Captain *Legg*, about the Means to oblige the Mayor to deliver up to him the Town and Magazine, or to get it by force if the Mayor would not give his Consent. The Secret being discovered, the Peers ordered the Earl of *Newcastle* to attend the Service of the House, which he did, after receiving the King's Pleasure, without being asked, at his Return, where he had been. But some Days after the *Commons* moved that Sir *John Hotbam* might be sent to *Hull*, as I said, to which the Lords agreed the more readily, as they were not ignorant upon what Design the Earl of *Newcastle* had been dispatched thither. The Order was therefore given to *Hotbam* by both Houses, to go and command in *Hull*, without vouchsafing to acquaint the King with it.

Shortly after, the Affair of the *Militia*, which I mentioned just now, being entered upon, the King formed once more the Design of securing *Hull* and *Portsmouth*. To that purpose, Colonel *Goring* Governour of *Portsmouth*, whom the King had secretly gained, was to receive the Queen into *Portsmouth*, which done, he had Orders to go and take the Command of *Hull*. Probably, there was some Course taken for the surrender of that Place to him. This Design was discovered, though it was communicated but to three Persons, and the King thought not proper to pursue it, for fear of a Disappointment.

If to this be added the Suspicions entertained by the Parliament, that the late Assembly at *Kingston* was in order to surprize *Portsmouth*, and that the Journey the Queen was to take thither at the same Time was upon the same Account: That the Lieutenantancy of the *Tower* given to *Lunsford* might be another Consequence of the King's Design to secure at once the Three strongest Places in the Kingdom, we shall

shall not wonder hereafter, to see the Parliament full of Fears and Jealousies. For though the House of *Commons* had given the King but too much Cause to take Precautions for his Defence, these very Precautions, had they succeeded, would have been no less prejudicial to the Publick, than if they had been without a plausible Foundation. So, as the King had reason to fear that the Parliament had a mind to strip him of his Authority, the Parliament had no less cause to suspect that the King was privately labouring to subdue them. In this Disposition, neither the one nor the other took any Step which was not suspected to hide some ill Design. Consequently every thing tended to a Rupture. The main Business of both Parties was only to gain the People to their Side. The Parliament strenuously endeavoured it, by rendering the King odious, and cherishing the Fears and Suspicions already infused into the People: Their Aim was fully to convince the Nation of the Necessity of proceeding in an extraordinary Manner, in a Case so uncommon. The King on his Part, carefully represented that the Parliament did nothing but violate the Laws, and subvert the Constitution of the Government, under colour of maintaining them. It was necessary to say thus much, before I entered upon the Business of the *Militia*, that the Reader may understand the Springs and Motives of the King's and the Parliament's Proceedings.

Eight Days after young *Hotham's* Departure for *Hull*, where his Father Sir *John* came within a few Weeks, the King sent a Message to both Houses, to make them the following Proposition:

“ That they would with all speed fall into a serious Consideration of all those Particulars which they shall hold necessary, as well for the upholding and maintaining of his Majesty's just and regal Authority, and for the settling of his Revenue, as for the present and future Establishment of their Privileges; the free and quiet enjoying of their

The King's
Message to
both
Houses.
Jan. 20.
Rush. IV.
p 516, &c.

1641 2. “ Estates and Fortunes; the Liberties of their Persons; the Security of the true Religion now professed in the Church of *England*, and the settling of Ceremonies in such a manner, as may take away all just Offence; which, when they shall have digested and composed one entire Body, that so his Majesty and themselves may be able to make the more clear Judgment of them, it shall then appear by what his Majesty shall do, how far he hath been from intending, or designing any of those things, which the too great Fears and Jealousies of some Persons seem to apprehend, and how ready he will be to exceed the greatest Examples of the most indulgent Princes in their Acts of Grace and Favour to their People. ”

The King's Views in this Message.

It is evident the King had three Views in making this Proposition. The First, to find the Parliament something to do, which they should not be able to see the End of in a good while, and to gain time to prepare himself, whilst the Parliament should be employed in the Discussion of what was contained in the Message. The Second was, to know at once how far the Designs of his Enemies reached, which could not but be advantageous to him and injurious to them, with regard to the People. His Third View was, to let his Subjects see how willing he was to consent to whatever should be capable of procuring a perfect Reconciliation between him and his Parliament. As to his saying, *How ready he should be, &c.* it was only a general Promise, liable to a Thousand Restrictions and Explanations, and which properly bound him to nothing.

The Answer of the House of Commons.

The *Commons* fully perceived the Snare the King laid for them: but they perplexed him no less by their Answer to his Proposition. They told him in an Address they presented to him, “ That they returned to his Majesty their most humble Thanks, resolving to take his Message into speedy and serious Consideration; and to enable them with Security

“ curity to discharge their Duties therein, they de- 1641-2.
 “ fired the Peers to join with them, in humbly be-
 “ seeching his Sacred Majesty to raise up unto them
 “ a sure Ground of Safety and Confidence, by put-
 “ ting the *Tower* and other principal Forts of the
 “ Kingdom, and the whole *Militia* thereof into the
 “ Hands of such Persons as the Parliament might
 “ confide in, and as should be recommended unto his
 “ Majesty by both Houses of Parliament” *.

By this Answer, the *Commons* made a Preliminary *The Com-
 of the most important Point that there could be to mons
 settle between the King and Parliament, and which Views*
 being granted, would have put it in the Parliament’s
 Power to do whatever they pleased. In the second
 Place, they insinuated to the People, that the Par-
 liament’s Distrust towards the King must needs have
 been grounded upon strong Presumptions, since there
 was no way to bring about a Réconciliation and settle
 the Rights of the Nation, as long as the King should
 be Master of the Forts and *Militia*.

The King answered, concerning the *Tower of Lon- The King’s
 don*; “ That having preferred a Person of a known Answer.
 “ Fortune, and unquestionable Reputation to that Jan. 28.
 “ Trust, he did not expect he should be pressed to Rush. IV.
 “ remove him, without any particular Charge a- p. 517.
 “ gainst him: That notwithstanding, if upon due
 “ Examination any Particular could be presented to
 “ His Majesty, whereby it might appear, that he
 “ was mistaken in his Opinion of *Byron*, and that
 “ that Gentleman was unfit for the Trust committed
 “ to him, he would make no scruple of discharging
 “ him. But otherwise, he was obliged in Justice to
 “ himself, to preserve his own Work, lest his Favour

* The Petition goes on, “ Wherein the Peers having refused
 “ to join with them, they, notwithstanding, no way discouraged,
 “ but confiding in his Majesty’s Goodness, humbly beseech him
 “ that the *Tower of London*, &c.” *Rush*. IV. p. 517. Our Author
 takes no notice of this Dissent of the Lords.

1641 2. “ and good Opinion might prove a Disadvantage
 “ and Misfortune to his Servants, without any other
 “ Accusation. For the Forces and Castles of the
 “ Kingdom; he was resolved they should always be
 “ in such Hands, (and only such) as the Parliament
 “ might safely confide in : but the Nomination of any
 “ Persons to those Place (being so principal and in-
 “ separable a Flower of his Crown, vested in him,
 “ and derived unto him from his Ancestors by the
 “ fundamental Laws of the Kingdom) he would re-
 “ serve to himself: and in bestowing of them, he
 “ should not be induced to express that Favour so
 “ soon to any Person, as to those whose good De-
 “ meanoir should be eminent in, or to his Parlia-
 “ ment; and if he should at any time confer such a
 “ Trust upon an undeserving Person, he would al-
 “ ways be ready to leave him to the Wisdom and
 “ Justice of his Parliament.

“ As for the Militia of the Kingdom, which by
 “ the Law is subject to no Command, but of his
 “ Majesty, and of Authority lawfully derived from
 “ him, when any particular Course for the or-
 “ dering the same should be considered and digested
 “ by his Parliament, and proposed to him, he would
 “ return such an Answer as should be agreeable to
 “ his Honour, and the Safety of his People, being
 “ resolved only to deny those things, the granting
 “ whereof would alter the fundamental Laws.”

*Remark on
 the King's
 answer.*

So general an Answer was not capable of satisfying the *Commons*. Nay it seemed to intimate pretty clearly that the King would not grant what was intended to be asked him, and yet he removed Sir *John Byron* from the Lieutenancy of the *Tower*, and gave it to Sir *John Conyers*, who was recommended to him by the *Commons*. But this was a Favour he readily granted, as it did not prejudice his Rights. Nevertheless, a few Days after the following Petition was presented to him by both Houses :

To

To the KING's most Excellent Majesty,
The humble Petition of the Lords and
Commons assembled in Parliament.

Most Gracious Sovereign,

THE present Evils and Calamities wherewith your Kingdoms are most miserably intangled, the imminent Dangers which threaten your Royal Person, and all your People, have caused us your most faithful and obedient Subjects, the Lords and Commons in this present Parliament, with Thankfulness to entertain, and with all Earnestness of Affection and Endeavour to pursue the gracious Proposition and Direction, which not long since we have received from your Majesty. And we have thereupon taken into our most serious Consideration the Ways and Means of securing the Safety of your Royal Person, preserving the Honour and Authority of your Crown, removing all Jealousies betwixt your Majesty and your People, suppressing the Rebellion in Ireland, preventing the Fears and Dangers in this Kingdom, and the mischievous Designs of those who are Enemies to the Peace of it. And that we may with more Comfort and Security accomplish our Duties herein, we most humbly beseech your Majesty, That you will be pleased forthwith to put the Tower of London, and all other Forts, and the whole Militia of this Kingdom, into the Hands of such Persons as shall be recommended to your Majesty by both Houses of Parliament*. Which they assure themselves will be a hopeful Entrance into those Courses, which (through God's blessing) shall be effectual for the removing of all Diffidence and Misapprehension betwixt your Majesty and your People, and for establishing and enlarging the Honour, Greatness and Power of your Majesty and

Petition of both Houses to the King. Feb. 2. Rush. IV. p. 518.

* The Lieutenancy of the Tower was not yet given to Sir John Conyers.

1541-2. *Royal Posterity, and for restoring and confirming the Peace and Happiness of your loyal Subjects in all your Dominions. And to this our most necessary Petition, we in all Humility expect your Majesty's speedy and gracious Answer, the great Distractions and Distempers of the Kingdom not admitting any Delay.*

The Parliament always supposed the Kingdom to be in extreme Danger, and the Papists and disaffected Party, or rather the King himself, to have ill Designs; though after all, their Supposition was built only upon Conjectures, which the King had given some Ground for, by endeavouring to secure Hull, as they had been well informed. See the King's Answer to this Petition.

Rush. IV.
p. 519.

His Majesty having well considered of this Petition, and being desirous to express how willing he is to apply a Remedy, not only to your Dangers, but even to your Doubts, and Fears, he therefore returns this Answer, That when he shall know the extent of Power, which is intended to be established in those Persons whom you desire to be Commanders of the Militia in the several Counties, and likewise to what Time it shall be limited, that no Power shall be executed by his Majesty alone, without the Advice of Parliament, then he will declare, That (for the securing you from all Dangers or Jealousies of any) his Majesty will be content to put in all the Places, both of Forts and Militia in the several Counties, such Persons as both the Houses of Parliament shall either approve or recommend unto him, so that you declare before unto his Majesty the Names of the Persons whom you approve or recommend, unless such Persons shall be named against whom he shall have just and unquestionable Exception.

Observation
on this
answer.

The King seemed by this Answer, to yield entirely to the Desire of both Houses, and yet the Sequel shows it was neither his Intention nor Thoughts. For the full understanding this Answer, it will be necessary to know how the King then stood disposed. His Design

Design was to withdraw to *York* and levy Troops in those Parts, in order to seize *Hull*, with the Magazine there. So that it is very likely, from that Time he had thoughts of War, whether Defensive or Offensive. And therefore he had determined to send the Queen into *Holland*, under Colour of conducting thither the Princess *Mary* her Daughter, who had espoused the Prince of *Orange*, and of going to the *Spa*. But withal, he had put into her Hands the Crown-Jewels, which were afterwards used in buying up Arms and Ammunition. When the Parliament presented this *Petition* to him, he was upon the Point of sending away the Queen, after which, he intended to retire to *York*. It was not therefore his Interest absolutely to reject the Parliament's Request in such a Juncture, for fear of raising a Storm too soon, which might have obstructed the Execution of his two Designs, and especially that relating to *Hull*. For this Reason, he returned the Parliament seemingly so satisfactory an Answer, but which however amounted not to an absolute Consent, because of some Restrictions he had added, from whence he meant to draw afterwards a Pretense to render his Engagement of no Effect. Nevertheless the Terms of this Engagement were so well chosen, that although of themselves, they signified not that the King reserved to himself a Power to call back his Word, such a Sense however might be fixt upon them by Consequence. So in the King's Intention, this Answer was solely designed for no other end but to gain Time. A few Days after he gave the Lieutenancy of the *Tower* to Sir *John Conyers* *, the better to perswade both Houses that he intended to satisfy them.

The Parliament doubted not in the least but that the King was resolved to put the *Militia* into the Hands of such as should be recommended to him.

And

The Parliament presented to the King the Form of an Ordinance for the Militia.

* February 11th, as appears by a short Message that Day from the King to the House of *Peers*. Rush. IV. p. 519.

Rush IV. p. 519.

1641-2. And therefore they ordered the Draught of an Ordinance for the regulating the *Militia*, to be prepared, with the Names of the Commanders in each County, set down on a separate Paper, and presented it to his Majesty, with a *Petition* to desire his Consent.

*The King's
Answer.*

The King answered, that the Queen and Princess being upon their Departure for *Holland*, he had not Time to consider of a Matter of so great Weight, but would send an Answer at his Return. He was then upon the Road accompanying the Queen to *Dover*.

Mean while, the Parliament thinking they had reason to suspect the King only sought to amuse them, and fearing he had formed some private Design which he had a Mind to see the Issue of before he settled the *Militia*, presented this other *Petition* to him :

*Petition of
both Houses
to the
King.
Feb. 22.*

May it please your most excellent Majesty, your humble and loyal Subjects, the Lords and Commons, have with a great deal of Grief received your Majesty's Answer to their just and necessary *Petition*, concerning the *Militia* of this Kingdom ; which your Majesty by a gracious Message formerly sent unto them, was pleased to promise should be put into such Hands as your Parliament should approve of, or recommend unto you ; the extent of their Power, and the time of their Continuance being likewise declared. That being done, and the Persons by both Houses nominated, your Majesty nevertheless, refers your Resolution herein to a longer and a very uncertain Time, which (the present Dangers and Distractions so great and pressing) is as unsatisfactory and destructive as an absolute Denial.

Therefore we again beseech your Majesty, to take our Desire into your Royal Thoughts, and to give us such an Answer, as may raise in us a Confidence that we shall not be exposed to the Practices of those, who thirst after the ruin of this Kingdom, and the kindling of that Combustion in England, which they have in so great a Measure effected in Ireland ; from whence (as we are daily informed,)

formed,) they intend and endeavour to invade us, with the Assistance of the Papists here amongst us. 1641-2.

Nothing can prevent these Evils, nor enable us to suppress the Rebellion in Ireland, and secure ourselves, but the instant granting of that humble Petition, which we hope your Majesty will not deny to those, who must in the Discharge of their Duties both to your Majesty and the Commonwealth, represent unto your Majesty what they find so absolutely necessary for the Preservation of both, which the Laws both of God and Man enjoyn them to see put in Execution, as several Counties by their daily Petitions have desired of us, and in some Places began already to do it of themselves.

The Parliament was desirous of the King's Consent for the ordering the *Militia*. This would have been advantageous to them upon all Accounts. But after all, in the Case they supposed the Kingdom to be, they did not mean that the King's Consent was so absolutely necessary that it could not be done, and executed without his Approbation. And therefore to let the King see that it would be in vain to oppose it, they had ordered it so, that in some Places the People had of their own accord, divided themselves into Companies, chosen Officers, in a Word, had began to regulate the *Militia*, without staying for the King's Orders. It is not likely that the People would have dared to do so, had they not been sure of the Parliament's Approbation. Remark.

The King seeing himself thus pressed, sought other Evasions to amuse the Parliament, without openly declaring however that his Intent was to deny what both Houses desired of him. His Answer to the last Petition was as follows :

“ His Majesty having with his best Care and Understanding, perused and considered, that which was sent him from both Houses, for the ordering the *Militia*, presented unto him to be made an Ordinance of Parliament, by the giving of his Royal

The King's Answer.
Feb. 28.
Rush. IV.
p. 521.

1641. 2. “ Royal Assent ; as he can by no means do it for
 “ the Reasons hereafter mentioned, so he doth not
 “ conceive himself obliged by *any Promise* made in
 “ his Answer of the second of this Month, to the
 “ Petition of both Houses to yield the same.
 “ His Majesty finds great Cause to except against
 “ the Preface or Introduction to that Order, which
 “ confesseth a most dangerous and desperate Design
 “ upon the House of Commons, of late supposed to
 “ be an Effect of the bloody Councils of Papists
 “ and other ill-affected Persons, by which many may
 “ understand (looking upon other printed Papers to
 “ that purpose,) his coming in Person to the House
 “ of Commons on the 4th of *January*, which begat
 “ so unhappy a Misunderstanding between him and
 “ his People ; and for that, *though he believes it upon*
 “ *the Information since given, to be an apparent Breach*
 “ *of their Privilege*, and hath offered to repair the
 “ same for the future, by any Act that shall be de-
 “ sired of his Majesty, yet he must declare, and re-
 “ quire to be believed, that he had no other Design
 “ upon that House, or any Member of it, than to
 “ require (as he did) the Persons of those five Gen-
 “ tlemen his Majesty had the Day before accused of
 “ High-Treason ; and to declare, that he meant to
 “ proceed against them legally and speedily, upon
 “ which he believes that House would have delivered
 “ them up ; and his Majesty calls the *Almighty God*
 “ *to Witness*, that he was so far from any Intention
 “ or thought of Force or Violence ; although that
 “ House had not delivered them according to his
 “ Demand, or in any Case whatsoever, that he gave
 “ those his Servants, and others, that waited on his
 “ Majesty, express Charge and Command, that they
 “ should give no Offence to any Man ; nay, if they
 “ received any Provocation or Injury, that they
 “ should bear it without return ; and his Majesty
 “ neither saw or knew, that any Person of his Train
 “ had any other Weapons, but his Pensioners and
 “ Guards those with which they usually attend his
 “ Majesty,

“ Majesty, and the other Gentlemen, Swords. And 1641-2.
“ therefore his Majesty doubts not, but his Parlia-
“ ment will be regardful of his Honour herein,
“ that he shall not undergo any Imputation by the
“ rash or indiscreet Expressions of any young Men
“ in his Train, or by any desperate Words uttered
“ by others, who might mingle with them without
“ his Consent or Approbation.

“ For the Persons nominated to be Lieutenants of
“ the several Counties of *England* and *Wales*, his
“ Majesty is contented to allow that Recommendation,
“ on, only concerning the City of *London*, and such
“ Corporations, as by ancient Charters have granted
“ unto them the Power of the *Militia*, his Majesty
“ doth not conceive, that it can stand with Justice or
“ Polity to alter their Government in that Particular.

“ And his Majesty is willing forthwith to grant e-
“ very of them, (that of *London*, and those other
“ Corporations excepted,) such Commissions as he
“ hath done during this Parliament, to some Lord-
“ Lieutenants by your Advice ; but if that Power
“ be not thought enough, but that more shall be
“ thought fit to be granted to those Persons named,
“ than by the Law is in the Crown it self ; His Ma-
“ jesty holds it reasonable, that the same be by Law
“ first vested in him, with Power to transfer it to
“ those Persons, which he will willingly do ; and
“ whatever that Power shall be, to avoid all future
“ Doubts and Questions, his Majesty desires, it may
“ be digested into an Act of Parliament rather than
“ an Ordinance ; so that all his loving Subjects may
“ thereby particularly know, both what they are to
“ suffer, and what they are not to suffer, for their
“ neglect, that there be not the least Latitude for
“ his good Subjects to suffer under any Arbitrary
“ Power whatever.

“ As to the time desired for the Continuance of
“ the Powers to be granted, his Majesty giveth this
“ Answer, That he cannot consent to devest himself
“ of the just Power, which God and the Laws of this
“ King-

1641-2. “ Kingdom have placed in him for the Defence of
 “ his People, and to put it into the Hands of any
 “ other for any indefinite Time. And since the
 “ ground of this Request from his Parliament, was
 “ to secure their present Fears and Jealousies, that
 “ they might with safety apply themselves to the
 “ Matter of his Message of the 20th of *January*:
 “ His Majesty hopeth, that his Grace to them, since
 “ that Time, in yielding to so many of their Desires,
 “ and in agreeing to the Persons now recommended
 “ to him by his Parliament, and the Power before
 “ expressed to be placed in them, will wholly dis-
 “ pel those Fears and Jealousies; and assureth them,
 “ that as his Majesty hath now applied this unusual
 “ Remedy to their Doubts, so (if there shall be
 “ Cause) he will continue the same to such Time as
 “ shall be agreeable to the same Care he now expres-
 “ seth toward them.

“ And in this Answer, his Majesty is so far from
 “ receding from any thing he promised, or intended
 “ to grant in his Answer to the former Petition;
 “ that his Majesty hath hereby consented to all was
 “ then asked of them by that Petition concerning
 “ the *Militia* of the Kingdom, (except that of *Lon-*
 “ *don*, and those other Corporations) which was to
 “ put the same into the Hands of such Persons as
 “ should be recommended unto him by both Houses
 “ of Parliament: And his Majesty doubts not but
 “ the Parliament upon well weighing the Particulars
 “ of this his Answer, will find the same more satis-
 “ factory to their Ends, and the Peace and Welfare
 “ of all his good Subjects, than the way proposed
 “ by this intended Ordinance, to which, for these
 “ Reasons his Majesty cannot consent.

“ And whereas his Majesty observes by the Peti-
 “ tion of both Houses presented to him by the Earl
 “ of *Portland*, Sir *Thomas Heal*, and Sir *William Sa-*
 “ *vile*, that in some places some Persons begin al-
 “ ready to intermeddle of themselves with the *Mi-*
 “ *litia*, his Majesty expecteth that his Parliament
 “ should

“ should examine the Particulars thereof, it being a
“ Matter of high Concernment and very great Con-
“ sequence. 1641. 2.

“ And his Majesty requireth, that if it shall appear
“ to his Parliament, that any Persons whatsoever
“ have presumed to command the *Militia* without
“ lawful Authority, they may be proceeded against
“ according to Law.”

There were in this Answer, several Things which could not but displease the Parliament. 1. The Exception of *London* and other Corporations, who by Charters had the Power of the *Militia*, which was taking away with one Hand, what he seemed to give with the other, since there were very few Towns of any note, but what had the like Charters. Besides, it did not appear that either *London* or any other Corporation desired to be maintained in their Privilege in this Respect. The King took it for granted without consulting them. 2. The King, in complaining there was no fixed Time for the continuance of the Powers of the Lieutenants, offered none himself. So it was a Point to be debated which might amuse the House a good while. 3. As to his promising to prolong the Time, if there was occasion, it was properly nothing, since it is certain no Credit was given to his general Promises, especially when they were attended with such likely Restrictions. 4. The King did not mention the Government of the Forts, which was however a Point of great Moment. 5. He absolutely rejected the Ordinance, and when he would have induced the Parliament to change it into an *Act*, his Intent was indirectly to oblige them to own, they had no Power to make the Ordinance, which was entirely contrary to the Pretensions of both *Houses*. 6. By suppressing the Ordinance and turning it into an *Act*, the *Bill* must have been drawn up his way, otherwise, he tacitely reserved to himself the Power of rejecting it, a Power that hitherto had been indisputable.

There was no Occasion then to be very Sharp-sighted, to perceive that by all these Restrictions the
King

1641. 2. King sought only to gain Time, and put off the Parliament with bare Words. Accordingly both Houses having taken his Answer into Consideration, voted that it was not satisfactory, and presented a third Petition to him at *Theobalds*, where he then was.

*Petition of
both Houses
to the
King.
March 1.
Rush. IV.
p. 523.*

Most gracious Sovereign,

“ **Y**Our Majesty’s most loyal and obedient Sub-
 “ jects, the Lords and Commons in Parliament,
 “ do find their just Apprehensions of Sorrow and
 “ Fear, in respect of the publick Dangers and Mife-
 “ ries like to fall upon your Majesty and the King-
 “ dom, to be much increased, upon the Receipt of
 “ your unexpected Denial of their most humble and
 “ necessary Petition, concerning the *Militia* of the
 “ Kingdom, especially grieving, that wicked and
 “ mischievous Councillors, should still have that
 “ Power with your Majesty, as in this time of im-
 “ minent and approaching Ruin, rather to incline
 “ your Resolutions to that which is apt to further the
 “ accomplishment of the Desires of the most malig-
 “ nant Enemies of God’s true Religion, and the
 “ Peace and Safety of your Self and your Kingdom,
 “ than to the dutiful and faithful Counsel of your
 “ Parliament: Wherefore they are enforced in all
 “ Humility, to protest, that if your Majesty shall
 “ persist in that Denial, the Dangers and Distempers
 “ of the Kingdom are such as will endure no longer
 “ Delay: But unless you shall be graciously pleased
 “ to assure them by these Messengers, that you will
 “ speedily apply your Royal Assent to the Satisfacti-
 “ on of their former Desires, they shall be enforced
 “ for the Safety of your Majesty and your Kingdom,
 “ to dispose of the *Militia* by the Authority of both
 “ Houses, in such manner as hath been propounded to
 “ your Majesty, and they resolve to do it accordingly.
 “ They likewise most humbly beseech your Ma-
 “ jesty to believe, that the dangerous and desperate
 “ Design upon the House of Commons, mentioned
 “ in their Preamble, was not inserted with any In-
 “ tention

1641-2.

“ tention to cast the least Asperſion upon your Ma-
“ jeſty, but herein they reflected upon that malign-
“ nant Party, of whoſe bloody and malicious Prac-
“ tices they had ſo often Experience, and from which
“ they can never be ſecure, unleſs your Maſteſty will
“ be pleaſed to put from you thoſe wicked and un-
“ faithful Counſellors, who interpoſe their own cor-
“ rupt and malicious Deſigns betwixt your Maſteſty’s
“ Goodneſs and Wiſdom, and the Proſperity and
“ Contentment of your Self, and of your People :
“ And that for the Diſpatch of the great Affairs of
“ the Kingdom, the Safety of your Perſon, the Pro-
“ tection and Comfort of your Subjects, you will
“ be pleaſed to continue your Abroad near to *Lon-*
“ *don*, and the Parliament, and not to withdraw
“ your ſelf to any the remoter parts : which if
“ your Maſteſty ſhould do, muſt needs be a Cauſe of
“ great Danger and Diſtraction.

“ That your Maſteſty will likewise be graciously
“ pleaſed to continue the Prince his Highneſs in
“ theſe Parts, at *St. James’s*, or any other of your
“ Houſes near *London*, whereby the Deſigns which
“ the Enemies of the Religion and Peace of this King-
“ dom may have upon his Perſon, and the Jealou-
“ ſies and Fears of your People may be prevented.
“ And they beſeech your Maſteſty to be informed by
“ them, that by the Laws of the Kingdom, the
“ Power of raiſing, ordering, and diſpoſing of the
“ *Militia*, within any City, Town, or other Place,
“ cannot be granted to any Corporation by Charter,
“ or otherwiſe, without the Authority and Conſent
“ of Parliament ; and that thoſe Parts of the King-
“ dom which have put themſelves in a Poſture of
“ Defence againſt the common Danger, have therein
“ done nothing but according to the Declaration and
“ Direction of both Houſes, and what is juſtifiable
“ by the Laws of the Kingdom.

“ All which, their moſt humble Counſel and De-
“ ſires, they pray your Maſteſty to accept, as the
“ effect of that Duty and Allegiance which they

1641-2. "owe unto you, and which will not suffer them to
 "admit of any Thoughts, Intentions, or Endeavours, but such as are necessary and advantageous
 "for your Majesty's Greatness and Honour, and
 "the Safety and Prosperity of the Kingdom, according to that Trust and Power which the Laws
 "have reposed in them."

Before I relate the King's Answer, it will not be amiss to make some Remarks on this *Petition*. My Design being in the second Part of the Reign of *Charles I*, to give the Readers a true Notion as to the Differences between the King and the Parliament, to the end they may the better perceive the real Grounds of the ensuing Civil Wars, I hope it will not be taken ill that by Remarks on the Papers of both Sides, I point out some Things which perhaps would not be regarded by every Body.

Remarks
 on this
Petition.

In the first Place, the imminent Danger, the approaching Ruin which the Parliament so much talked of, were not so evident as they pretended. However they always supposed, that there was a *Popish* and malignant Party, who had formed a Design to ruin the Kingdom and the Protestant Religion, and that the King's evil Counsellors advised him to whatever might be of Advantage to that Party. I do not say this Supposition was entirely false: But it may be said at least to be grounded wholly upon bare Conjectures. Besides, these were only Generalities, under which the Parliament concealed the true Cause of their Fears. They were apprehensive that the King by secret Practices, would secure the Forts and Magazines, as it was well known he had designed such a Thing, and would raise an Army. Nay, it could not be doubted but that considering the State he was in, he would have done it had it been in his Power. We shall see hereafter that he had thought of it, before the Time I am speaking of. But when this *Petition* was presented to him, he was suspected only to have some great Design in Hand. He was therefore to be prevented, by ordering the *Militia* of
 the

the Kingdom, by the Authority of both Houses, without his having any thing to do in it, that they might be ready to oppress immediately such as should declare for him, or hinder them from declaring. But all this was coloured with the Pretence of putting the Kingdom in a Posture of Defence against the Plots of the Malignants. For this reason, the pretended Design of this same malignant Party was always expressed in general Terms, without the mention of any Particulars, and great care was taken to refer to it all the King's Actions, and all the Events which could have any relation thereto. But it must be remembered, as I have often said, that the Parliament's Intention was to strip the King of the greatest Part of his Authority, and that the King's Design was to screen himself from the impending Misfortunes, and in so doing, he would have put himself also in a State of attacking, had he been suffered to do it. This is properly the *Key* to the *Papers* which were published on both Sides, concerning the Affair of the Militia, though the King and Parliament endeavoured to varnish over their respective Proceedings with plausible Pretences, in order to cast a Mist before the Eyes of the People.

I shall remark in the second Place, that the Parliament in this their Petition took no notice of the Reasons alledged by the King in his former Answer. They were contented with always supposing the Design of subverting Religion and the Laws, and with referring to that Design the Removal of the Prince of *Wales*, and the Absence of the King from his Parliament, to insinuate, that the Restrictions the King clogged his first Promise with, were intended only to gain time, in order to favour the Malignants.

Thirdly, The Fears the Parliament was under that the King's Absence concealed some hidden Design, were not groundless, as I said, and as will be seen hereafter.

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All this shows that the King and the Parliament had but too much cause to mistrust one another. If the Parliament, under colour of the Danger the Kingdom was in, thought it incumbent on them to require that the *Militia* should be put into such Hands as they could confide in, the King had no less reason to use his Endeavours to hinder both Houses from usurping a Power which was to help to oppress him.

The King returned the following Answer to the Parliament's last Petition :

*The King's
Answer.
March 2.
Rush. IV.
p. 524.*

“ I am so much amazed at this Message, that I
“ know not what to answer : You speak of Jealousies and Fears : Lay your Hands to your Hearts,
“ and ask your selves, whether I may not likewise be
“ disturbed with Fears and Jealousies : And if so, I
“ assure you this Message hath nothing lessened
“ them.

“ For the Militia, I thought so much of it before
“ I sent that Answer, and am so much assured that
“ the Answer is agreeable to what in Justice or
“ Reason you can ask, or I in Honour grant, that
“ I shall not alter it in any Point.

“ For my Residence near you, I wish it might be
“ so safe and honourable, that I had no Cause to ab-
“ sent my self from *Whitehall* ; ask your selves whe-
“ ther I have not.

“ For my Son, I shall take care of him, which
“ shall justify me to God as a Father, and to my
“ Dominions as a King.

“ To conclude, I assure you upon my Honour,
“ that I have no thought but of Peace and Justice to
“ my People, which I shall by all fair means seek to
“ preserve and maintain, relying upon the Goodness
“ and Providence of God, for the Preservation of
“ my Self and Rights ”.

*Remark on
this An-
swer,*

It must be observed upon this Answer, that the Reason alledged by the King to justify his Absence from *Whitehall*, namely, the riotous Assemblies of the

the People of *London*, was plausible. But it was extremely weak to prove the Necessity of going to reside at *York*. However, he artfully confounded, under one and the same Reason, his Removal as far as *York*, and his Absence from *London*. We shall see presently the true Reason of his retiring to *York*. 1641-2.

2. It is very likely the King wished for Peace, provided his Prerogatives were untouched. But the Parliament thought, in order to have a lasting Peace, the King's Power was to be curb'd.

Upon this Answer, it was resolved by the House of *Commons* :

- “ 1. That this Answer of his Majesty is a Denial
 “ to the Desires of both Houses of Parliament concerning the Militia. *Votes of the Commons. Rush. IV. p. 524.*
- “ 2. That those that advised his Majesty to give
 “ this Answer, are Enemies to the State, and mischievous Projectors against the Defence of the
 “ Kingdom.
- “ 3. That this Denial is of that dangerous Consequence, that if his Majesty shall persist in it, it will
 “ hazard the Peace and Safety of all his Kingdoms,
 “ unless some speedy Remedy be applied by the
 “ Wisdom and Authority of both Houses of Parliament.
- “ 4. That such Parts of this Kingdom as have put
 “ themselves into a Posture of Defence against the
 “ common Danger, have done nothing but what is
 “ justifiable, and is approved of by the House.
- “ 5. That if his Majesty shall remove into any remote Parts from his Parliament, it will be a great
 “ Hazard to the Kingdom, and great Prejudice to
 “ the Proceedings of the Parliament.
- “ 6. That this House holds it necessary, that his
 “ Majesty may be desired that the Prince may come
 “ unto *St. James's*, or to some other convenient
 “ Place near or about *London*, and there to continue.

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“ 7. That the Lords be desired to join with this House in an humble Request unto his Majesty, that he will be pleased to reside near his Parliament, that both Houses may have a Convenience of access unto him upon all Occasions.

“ 8. That the Lords be moved to join with this House in some fit Course of Examination, to find who were the Persons that gave his Majesty this Advice, that they may be removed from his Majesty, and brought to condign Punishment.

“ 9. That no Charter can be granted by the King, to create a Power in any Corporation over the Militia of that Place, without consent of Parliament.

“ 10. That the Lords shall be moved to join with this House in these Votes.

“ 11. That the Lords shall be desired to appoint a select Committee, that may join with a Committee of a proportionable Number of this House, to consider and prepare what is fit to be done upon these Votes, or upon any thing else that may arise upon this Answer of his Majesty concerning the Militia, and concerning the Prince.

The same Day it was resolved in the House of Commons,

“ That the Kingdom be forthwith put into Posture of Defence, by Authority of both Houses, in such a way as is already agreed upon by both Houses of Parliament ”.

In pursuance of this Resolution, both Houses published the following Ordinance for settling the *Militia* :

The Parliament's Ordinance for the Militia.

March 5.
Rush IV.
p. 526.

“ Whereas there hath been of late a most dangerous and desperate Design upon the House of Commons, which we have just Cause to believe to be an effect of the bloody Councils of Papists and other ill-affected Persons, who have already raised a Rebellion in the Kingdom of *Ireland*, and by
“ reason

“ reason of many Discoveries, we cannot but fear 1641-I.
 “ they will proceed not only to stir up the like Rebel-
 “ lion and Insurrections in this Kingdom of *England*,
 “ but also to back them with Forces from Abroad.

“ For the Safety therefore of his Majesty’s Per-
 “ son, the Parliament and Kingdom in this time of
 “ imminent Danger ; It is ordained by the Lords and
 “ Commons now in Parliament assembled, That
 “ *Henry Earl of Holland* shall be Lieutenant of the
 “ County of *Berks*, *Oliver Earl of Bullingbrooke* shall
 “ be Lieutenant of the County of *Bedford*, &c. and
 “ the said Lord Lieutenants shall severally and re-
 “ spectively have Power to assemble and call toge-
 “ ther all and singular his Majesty’s Subjects, within
 “ the said several and respective Counties and Places,
 “ as well within their Liberties as without, that are
 “ meet and fit for the Wars, and them to train and
 “ exercise and put in readines, and them, after their
 “ Abilities and Faculties, well and sufficiently from
 “ time to time to cause to be arrayed and weaponed,
 “ and to take the Muster of them in Places fit for
 “ that purpose. And that they shall severally and
 “ respectedly have Power within the several and re-
 “ spective Counties and Places aforesaid, to nomi-
 “ nate and appoint such Persons of Quality as to
 “ them shall seem meet to be their Deputy-Lieute-
 “ nants, to be approved of by both Houses of Par-
 “ liament. And be it further ordained, That Sir
 “ *John Gayre*, Sir *Jacob Garret* Knights, &c. shall
 “ have such Power and Authority within the City of
 “ *London*, as any of the Lieutenants before named
 “ are authorized to have by this Ordinance, within
 “ the said several and respective Counties, (the No-
 “ mination and Appointment of Deputy-Lieute-
 “ nants only accepted.) And it is further ordained,
 “ That such Persons as shall not obey in any of the
 “ Premisses, shall answer their Neglect and Con-
 “ tempt to the Lords and Commons in a parlia-
 “ mentary Way, and not otherwise, nor elsewhere ;
 “ and that every the Powers granted as aforesaid,
 A a 4 “ shall

1641-2. “ shall continue until it be otherwise ordered or declared by both Houses of Parliament, and no longer.”

These Forces from Abroad mentioned in the Ordinances were a Chimera, framed to amuse the People, and make them believe the King had a mind to cause the Kingdom to be invaded by Foreigners. For though it was very likely that the Pope and Cardinal *Richlieu* countenanced the Rebellion in *Ireland*, it could not however be affirmed that they had formed a Design to invade *England* in favour of the King.

March the 9th, the King being at *Newmarket*, both Houses presented the following Declaration to him, which served for Reply to his Answer.

DECLARATION of both Houses presented to the King at *Newmarket*,
March 9. 1641-2.

May it please your Majesty,

Russ. IV. p. 528. “ Although the Expressions in your Majesty’s
“ Message of the 2d of this instant *March*,
“ do give just Cause of Sorrow to us, your faithful
“ Subjects, the Lords and Commons in Parliament,
“ yet it is not without some mixture of Confidence
“ and Hope, considering they proceeded from the
“ Mis-apprehension of our Actions and Intentions,
“ which having no ground of Truth or Reality,
“ may by your Majesty’s Justice and Wisdom be removed, when your Majesty shall be fully informed,
“ that those Fears and Jealousies of ours, which
“ your Majesty thinks to be causeless, and without
“ any just Ground, do necessarily and clearly arise
“ from those Dangers and Distempers, into which
“ the mischievous and evil Councils about you have
“ brought this Kingdom ; and that those other Fears
“ and

“ and Jealousies, by which your Favour, your
“ Royal Prefence and Confidence have been with-
“ drawn from your Parliament, have no Founda-
“ tion or Subsistence in any Action, Intention or
“ Miscarriage of ours, but are merely grounded up-
“ on the Falshood and Malice of those, who, for
“ the supporting and fomenting their own wicked
“ Designs against the Religion and Peace of the
“ Kingdom, do seek to deprive your Majesty of the
“ Strength and Affection of your People, them of
“ your Grace and Protection, and thereby to subject
“ both your Royal Person and the whole Kingdom
“ to Ruin and Destruction.

“ To satisfy your Majesty’s Judgment and Con-
“ science in both these Points, we desire to make a
“ clear and free Declaration of the *Causes of our*
“ *Fears and Jealousies*, which we offer to your Ma-
“ jesty in these Particulars :

“ 1. That the Design of altering Religion in this,
“ and in your other Kingdoms, hath been potently
“ carried on by those in greatest Authority about
“ you, for divers Years together, the Queen’s Agent
“ at *Rome*, and the Pope’s Agent or Nuncio here,
“ are not only Evidences of this Design, but have
“ been great Actors in it.

“ 2. That the War with *Scotland* was procured to
“ make way for this Intent, and chiefly invited and
“ fomented by the Papists, and others popishly af-
“ fected, whereof we have many Evidences, espe-
“ cially their free and general Contribution to it.

“ 3. That the Rebellion in *Ireland* was framed and
“ contrived here in *England*, and that the *English*
“ Papists should have risen about the same time, we
“ have several Testimonies and Advertisements from
“ *Ireland*; and that it is a common Speech amongst
“ the Rebels, wherewith concur other Evidences and
“ Observations of the suspicious Meetings and Con-
“ sultations, the tumultuary and seditious Carriage
“ of those of that Religion in divers Parts of this
“ Kingdom about the time of the breaking out of
“ the

1641-2. “ the *Irish* Rebellion; the Deposition of O Conelly;
 “ the Information of Mr. Cole, Minister; the Letter of *Tristram Whitecomb*; the Deposition of *Thomas Grant*, and many others which we may produce, do all agree in this: The publick Declarations of the Lords, Gentlemen, and others of the *Pale*, that they would join with the Rebels, whom they call the *Irish* Army, or any other, to recover unto his Majesty his Royal Prerogative, wrested from him by the Puritan Faction in the Houses of Parliament in England, and to maintain the same against all others, as also to maintain *Episcopal Jurisdiction*, and the Lawfulness thereof: These two being Quarrels, upon which his Majesty’s late Army in the North should have been incensed against us.

“ The great Cause we have to doubt that that late Design, stiled the *Queen’s pious Intention*, was for the Alteration of Religion in this Kingdom; for success whereof, the Pope’s Nuncio, the Count *Rosetti* enjoined Fasting and Praying to be observed every Week by the *English* Papists, which appeared to us, by one of the Original Letters, directed by him to a Priest in *Lancashire*.

“ The Boldness of the *Irish* Rebels in affirming they do nothing but by Authority from the King; that they call themselves the *Queen’s Army*; that the Prey or Booty which they take from the *English* they mark with the *Queen’s Mark*; that their Purpose was to come to England after they had done in Ireland, and sundry other things of this kind, proved by O Conelly, and divers others, especially in the fore-mentioned Letter from *Tristram Whitecomb*, the Mayor of *Kingsale*, to his Brother *Benjamin Whitecomb*, wherein there is this Passage, That many other strange Speeches they utter about Religion and our Court of England, which he dares not commit to Paper.

“ The manifold Attempts to provoke your Majesty’s late Army, and the Army of the Scots, and to raise a Faction in the City of London, and other parts
 “ of

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“ of the Kingdom; that those who have been Actors
“ in those Businesſes, have had their Dependance,
“ their Countenance and Encouragement from the
“ Court; witneſs the Treason whereof Mr. *Jermin*
“ and others ſtand accused, who were *transported* be-
“ yond Sea, by *Warrant under your Maſteſty's Hand*,
“ after your Maſteſty had given Aſſurances to your
“ Parliament, that your Maſteſty had laid a ſtrict
“ Command upon all your Servants, that none of
“ them ſhould depart from Court; and that *dange-*
“ *rous Petition delivered to Captain Legg* by your Ma-
“ ſteſty's own Hand, accompanied with a Direction
“ ſigned with C. R.

“ The falſe and ſcandalous *Accuſation* againſt the
“ Lord *Kimbolton*, and the *Five Members* of the
“ Houſe of Commons, *tendered to the Parliament* by
“ your Maſteſty's own Command, endeavoured to be
“ juſtified in the City by your own Preſence and
“ Perſuaſion, and *to be put in Execution upon their*
“ *Persons by your Maſteſty's Demand of them in the*
“ *Houſe of Commons*, in ſo terrible and violent a
“ manner, as far exceeded all former Breaches of
“ Privileges of Parliament acted by your Maſteſty
“ or any of your Predeceſſors; and whatſoever
“ your Intentions were, *divers bloody and deſperate*
“ *Persons* which attended your Maſteſty, diſcovered
“ their Affections and Reſolutions *to have maſſacred*
“ *and deſtroyed the Members of that Houſe*, if the
“ Abſence of thoſe Perſons accused, had not, by
“ God's Providence, *ſtopped the giving of that Word*
“ which they expected, for the ſetting of them upon
“ that barbarous and bloody Act; the liſting of ſo
“ many Officers and Soldiers, and others, putting
“ *them into pay*, and under Command of Colonels;
“ *feasting and careſſing them* in an unuſual manner at
“ *Whitehall*, thereby maintaining them in the violent
“ *Aſſaults* and other *Injuries* which they offered to di-
“ vers of your Subjects, coming that way in a law-
“ ful and *peaceable manner*; the carrying them out
“ of Town, after which they were told by the Lord

1641 2. “ Digby, that the King removed on purpose that
 “ they might not be trampled in the Dirt ; and *keeping*
 “ *them so long in Pay*, endeavouring to engage the
 “ Gentlemen of the *Inns of Court* in the same Course ;
 “ the plotting and designing of a *perpetual Guard* a-
 “ bout your Majesty ; the labouring to infuse into
 “ your Majesty’s Subjects an evil Opinion of the
 “ Parliament through the whole Kingdom, and other
 “ *Symptoms* of a Disposition of *raising Arms*, and
 “ *dividing your People by a Civil War* ; in which Com-
 “ bustion *Ireland* must needs be lost, and this King-
 “ dom miserably wasted and consumed, if not wholly
 “ ruined and destroyed.

“ That after a Vote had passed in the House of
 “ Commons, declaring, That the Lord Digby had
 “ appeared in a warlike Manner at *Kingston* upon
 “ *Thames*, to the Terror and Fright of your Ma-
 “ jesty’s good Subjects, and Disturbance of the pub-
 “ lick Peace of the Kingdom ; and that therefore the
 “ Lords should be moved to require his Attendance,
 “ he should nevertheless be of that Credit with your
 “ Majesty, *as to be sent away by your own Warrant* to
 “ Sir John Pennington, to land him beyond the Sea,
 “ from whence he vented his own traiterous Concep-
 “ tions, that your Majesty should *declare your self*,
 “ and retire to a *Place of Strength* in this Kingdom,
 “ as if your Majesty could not be safe among your
 “ People ; and withal took that transcendent Bold-
 “ ness to *write to the Queen*, offering to entertain
 “ Correspondence with her Majesty by Cyphers, in-
 “ timating some Service which he might do in those
 “ Parts, for which he desired your Majesty’s Instruc-
 “ tions, whereby in probability he intended the pro-
 “ curing of some foreign Force to strengthen your
 “ Majesty in that Condition, into which he would
 “ have brought you ; which false and malicious
 “ Counsel and Advice, we have great Cause to doubt,
 “ make too deep an Impression in your Majesty,
 “ considering the Course you are pleased to take of
 “ absenting your self from your Parliament, and
 “ carrying

“ carrying the *Prince with you*, which seems to
 “ express a Purpose in your Majesty, to keep your
 “ self in a *readiness for the acting of it*.

“ The manifold Advertisements which we have
 “ had from *Rome, Venice, Paris*, and other Parts,
 “ that they still expect that your Majesty has some
 “ *great Design in Hand*, for the altering of Religion,
 “ the *breaking the Neck of your Parliament*, that you
 “ will yet find means to compass that Design; that
 “ the *Pope's Nuncio* hath solicited the Kings of
 “ *France and Spain*, to lend your Majesty *Four*
 “ *Thousand Men* a-piece to help to maintain your
 “ *Royalty against the Parliament*: And this foreign
 “ Force, as it is the most pernicious and malignant
 “ Design of all the rest, so we hope it is, and shall
 “ always be farthest from your Majesty's Thoughts,
 “ because no Man can believe you will give up your
 “ People and Kingdom to be spoiled by Strangers, if
 “ you did not likewise intend to change both your
 “ own Profession in Religion, and the publick Pro-
 “ fession of the Kingdom, that so you might be still
 “ more assured of those *foreign States* of the Popish
 “ Religion, for your future Support and Defence.

“ These are some of the Grounds of our *Fears and*
 “ *Jealousies*, which make us so earnestly to implore
 “ your Royal Authority and Protection for our
 “ Defence and Security, in all the ways of Humility
 “ and Submission, which being denied by your Ma-
 “ jesty, *seduced by evil Counsel*, we do with Sorrow
 “ for the great and unavoidable Misery and Danger,
 “ which thereby is like to fall upon your own Person
 “ and your Kingdoms, apply our selves to the use of
 “ that Power, for the Security and Defence of both,
 “ which by the fundamental Laws and Constitutions
 “ of this Kingdom resides in us; yet still resolving
 “ to keep our selves within the Bounds of Faithful-
 “ ness and Allegiance to your sacred Person and your
 “ Crown; so as to the *second Sort of Jealousies and*
 “ *Fears* of us expressed by your Majesty, we shall
 “ give

1641-2. “ give a shorter, but as true and faithful an Answer.

“ Whereas your Majesty is pleased to say, that for
 “ your *Residence near the Parliament*, you wish it may
 “ be so safe and honourable, that you had no Cause
 “ to absent your self from *Whitehall* ; this we take
 “ as the greatest Breach of Privilege of Parliament
 “ that can be offered, as the heaviest Misery to
 “ your self, and Imputation upon us that can be imagined,
 “ and the most mischievous Effects of evil
 “ Counsels : It roots up the strongest Foundation of
 “ the Safety and Honour which your Crown affords ;
 “ it seems as much as may be to cast upon the Parliament
 “ such a Charge, as is inconsistent with the
 “ Nature of that great Council, being the Body,
 “ whereof your Majesty is the Head ; it strikes at
 “ the very Being both of King and Parliament, depriving
 “ your Majesty in your own Apprehensions
 “ of their Fidelity, and them of your Protection,
 “ which are the mutual Bands and Support of Government
 “ and Subjection.

“ We have according to your Majesty’s Desire,
 “ laid our Hands upon our Hearts ; we have asked
 “ our selves in the strictest Examination of our Consciences ;
 “ we have searched our Affections, our Thoughts ;
 “ considered our Actions, and we find none that can give
 “ your Majesty any just Occasion to absent your Self
 “ from *Whitehall*, and the Parliament ; but that you may
 “ with more Honour and Safety continue there than in any
 “ other Place.

“ Your Majesty lays a general Tax upon us ; if you
 “ will be graciously pleased to let us know the Particulars,
 “ we shall give a clear and satisfactory Answer ; but what
 “ hope can we have of ever giving your Majesty Satisfaction,
 “ when those Particulars which you have been made believe
 “ were true, yet being produced, and made known to us,
 “ appeared to be false, and your Majesty notwithstanding,
 “ will neither punish, nor produce the Authors,
 “ but go on to contract new Jealousies and Fears upon
 “ on

“ on general and uncertain Grounds, affording us
 “ no Means or Possibility of particular Answer, to
 “ the clearing of our selves ? For Proof where-
 “ of we beseech your Majesty to consider these In-
 “ stances :

“ The Speeches alledged to be spoken in a Meet-
 “ ing of divers Members of both Houses at *Kensington*,
 “ concerning a purpose of *restraining the Queen and*
 “ *Prince*, which after it was denied and disavowed,
 “ yet your Majesty refused to name the Authors,
 “ though humbly desired by both Houses.

“ The report of *Articles* framed against the *Queen’s*
 “ *Majesty*, given out by some of near relation to the
 “ Court ; but when it was publickly and constantly
 “ disclaimed, the Credit seemed to be withdrawn
 “ from it ; but the Authors being kept safe, will al-
 “ ways be ready for Exploits of the same kind,
 “ wherewith your Majesty and the Queen will be
 “ often troubled, if this Course be taken to cherish
 “ and secure them in such wicked and malicious
 “ Slanders.

“ The heavy Charge and Accusation of the Lord
 “ *Kimbolton*, and the five Members of the House of
 “ *Commons*, who refused no Tryal or Examination,
 “ which might stand with the Privilege of Parlia-
 “ ment ; yet no Authors, no Witnesses produced,
 “ against whom they may have Reparation, for the
 “ great Injury and Infamy cast upon them ; notwith-
 “ standing three several Petitions of both Houses,
 “ and the Authority of two Acts of Parliament
 “ vouched in the last of these Petitions.

“ We beseech your Majesty to consider in what
 “ State you are, how easy and fair a way to Happi-
 “ ness, Honour, Greatness, Plenty, and Security ;
 “ if you will join with the *Parliament*, and your faith-
 “ ful Subjects, in Defence of the Religion and Pub-
 “ lick Good of the Kingdom : This is all we expect
 “ from you, and for this we shall return to you our
 “ Lives, Fortunes, and uttermost Endeavours to
 “ support your Majesty, your just Sovereignty and
 “ Power

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“ Power over us ; but it is not Words that can se-
 “ cure us in these our humble Desires : We cannot
 “ but too well, and sorrowfully remember what
 “ gracious Messages we had from you this *Summer*,
 “ when with your Privity, the bringing *up the Army*
 “ *was in* Agitation ; we cannot but with the like
 “ Affections recall to our Minds, how not two Days
 “ before you gave Directions for the above mention-
 “ ed Accusation, and your own coming to the Com-
 “ mon’s House ; that House received from your
 “ Majesty a gracious Message, that you would always
 “ have a Care of their Privileges, as of your own Pre-
 “ rogative, of the Safety of their Persons, as of your
 “ own Children. That which we expect, which will
 “ give us Assurance that you have no Thought but
 “ of Peace and Justice to your People, must be some
 “ real Effect of your Goodness to them in granting
 “ those Things which the present Necessity of the
 “ Kingdom doth enforce us to desire : And in the
 “ first Place, that your Majesty will be graciously
 “ pleased to *put from you those wicked and mischievous*
 “ *Counsellors* which have caused all these Dangers and
 “ Distractions, and to continue your own *Residence*,
 “ and the Prince’s, near *London*, and the *Parliament*,
 “ which we hope will be a happy beginning of Con-
 “ tentment and Confidence betwixt your Majesty
 “ and your People, and be followed with many suc-
 “ ceeding Blessings of Honour and Greatness to your
 “ Majesty, and of Security and Prosperity to them.

“ The Lords and Commons have commanded us
 “ to present unto your Majesty this further Addition
 “ to their former Declaration.

“ That your Majesty’s Return and Continuance
 “ near the Parliament, is a Matter in their Appre-
 “ hension of so great Necessity and Importance to-
 “ ward the Preservation of your Royal Person and
 “ your Kingdoms, that they cannot think they have
 “ discharged their Duties in the single Expression of
 “ their Desire, unless they add some farther Reasons
 “ to back it with.

“ I. Your

“ 1. Your Majesty’s Absence will cause Men to believe, that it is out of Design to discourage the Undertakers, and hinder the other Provisions for raising Money for Defence of *Ireland*.

“ 2. It will very much hearten the Rebels there, and disaffected Persons in this Kingdom, as being an Evidence and Effect of the Jealousies and Divisions betwixt your Majesty and your People.

“ 3. That it will much weaken and withdraw the Affections of the Subjects from your Majesty, without which a Prince is deprived of his chiefest Strength and Lustre, and left naked to the greatest Dangers and Miseries, that can be imagined.

“ 4. That it will invite and encourage the Enemies of our Religion, and the States in foreign Parts to the attempting and acting their evil Designs and Intentions towards us.

“ 5. That it causeth a great Interruption in the Proceedings of Parliament.

“ These Considerations threaten so great Danger to your Majesty’s Person, and to all your Dominions, that as your Majesty’s great Council, they hold it necessary to represent to you this their faithful Advice, that so whatsoever followeth, they may be excused before God and Man.

It is needless to make any particular Remarks upon this Declaration. The Answers and Replies which will be seen hereafter may, better than I can, explain the Nature of the Quarrel between the King and the Parliament, and the Arguments of both.

It must only be observed in general, that according to the Custom of those who dispute together, each insisted largely upon the Things that made for him, and lightly touched upon such as were against him, or even passed them over entirely in his Answer and Reply.

What is certain, is, that in the present Situation of Affairs, the King and the Parliament had but too much Reason to mistrust one another, and that each

1641-2. laboured to procure such Advantages as might put him in an offensive or defensive State. As for the Declarations, Messages, Answers, Replies, these were only for the People, it being the Interest of each to gain them to his Side. But the Parliament had a great Advantage in this, by reason of the People's Prejudice against the King, to which he opposed only general Promises whereof he could give no Assurance. And this was very advantageous to the Parliament, who pretended that in order to trust in such Promises, it was necessary the King should begin with divesting himself of what enabled him to break them. By that we may see, how intricate a Business this was.

When the Deputies of the Parliament presented to the King the Declaration just mentioned, and after it was read in his Presence, he returned this extempore general Answer.

*The King's
Answer
given ex-
tempore.
March 9.
Rush. IV.
p. 532.*

I Am confident that you expect not I should give you a speedy Answer to this strange and unexpected Declaration; and I am sorry (in the Distraction of this Kingdom) you should think this way of Address to be more convenient, than that proposed by my Message of the 20th of January last, to both the Houses.

As concerning the Grounds of your Fears and Jealousies, I will take time to Answer particularly, and doubt not but I shall do it to the Satisfaction of all the World. God in his good Time, will, I hope, discover the Secrets and Bottoms of all such Plots and Treasons; and then I shall stand right in the Eyes of my People; in the mean time I must tell you, that I rather expected a Vindication for the Imputation laid on me by Mr. Pym's Speech; than that any more general Rumours and Discourses should get Credit with you.

For my Fears and Doubts, I did not think they should have been thought so groundless or trivial, while so many seditious Pamphlets and Sermons are looked upon, and so great Tumults are remembered, unpunished, and uninquied into: I still confess my Fears, and call God to

Witness,

Witness, that they are greater for the true Protestant Profession (a), my People, and Laws, than for my own Rights or Safety; though I must tell you, I conceive that none of these are free from Danger.

What would you have? Have I violated your Laws? Have I denied to pass any Bill for the ease and security of my Subjects? I do not ask you, what you have done for me.

Have any of my People been transported with Fears and Apprehensions? I have offered a free and general Pardon, as your selves can devise. All this considered, there is a Judgment from Heaven upon this Nation, if these Distractions continue.

God so deal with me and mine, as all my Thoughts and Intentions are upright for the Maintainance of the true Protestant Profession, and for the Observation and Preservation of the Laws of the Land; and I hope God will bless and assist those Laws for my Preservation.

As for the additional Declaration, you are to expect an Answer to it, when you shall receive the Answer to the Declaration itself.

On the Morrow the King gave the general Answer to the Deputies in Writing, which he had delivered by Word of Mouth the Day before.

After that, the Earl of Pembroke, one of the Deputies, asking him whether he would grant the Militia as was desired by the Parliament for a Time, No, answered the King, *by God, not for an Hour* *. This Answer did him a vast Injury. His main concern was to satisfy the People that his Promises might be relied upon, and yet he showed, that he had no Intention to keep that he had made to the Parliament, to grant the Militia when he should know for how

The King gives the Deputies this Answer in Writing. Rush. IV. P. 533. The King's rash Answer to the Earl of Pembroke

(a) He meant the Church of England, in Opposition to Presbyterianism.

* Adding, *You have asked that of me in this, was never asked of any King, and with which I will not trust my Wife and Children.* Rush. IV.

1641. 2. long a Term, since he refused to grant it even for an Hour.

If the Parliament had hitherto placed but little Confidence in the King's Promises, this did not help to increase it. On the other Hand, the harsh and disrespectful Manner both Houses used towards the King in their Declaration, very much incensed him, and rendered a Rupture unavoidable. For my part, I verily believe that the hard Things the Parliament said to the King in the Declaration were inserted by the Direction of some of the Leaders of the Party, on purpose to widen the Breach, and make a Reconciliation impracticable. And indeed, it is to be presumed that if the King had then granted the *Militia* for two or three Months, both Houses would have been very much at a loss what use they should have made of it. They would have had no Pretence to employ it against him, since he would have clearly showed that it was not his Fault that their Fears were not removed. But it is certain, he had to deal with abler Heads than himself and his Council. Besides, he was then full of the Design to seize *Hull*, which hindered him doubtless from seriously attending to what was most for his Advantage.

The King informs the House of his Design to reside at York.
Ruth. IV.
p. 533.

March the 15th, the King being at *Huntington*, sent a Message to both Houses, to inform them that he intended to make his Residence at *York* for some Time. He recommended to them withal the Business of *Ireland*. As to the *Militia*, he told them, " That as he had always been so tender of the Privileges of Parliament, that he had been ready and forward to retract any Act of his own, which he had been informed had trencht upon their Privileges ; so he expected an equal Tendernefs in them of his known and unquestionable Privileges ; among which, he was assured it is a fundamental one, *that his Subjects cannot be obliged to obey any Act, Order, or Injunction, to which his Majesty hath not given his Consent* : That therefore he expected and required Obedience from all his Subjects to

" the

“ the Laws established, being resolved to keep the
 “ Laws himself, and to require Obedience to them
 “ from all his Subjects.

Next Day, the *Commons* passed the following *Votes*,
 which were approved by the Lords.

- ‘ That the House should insist upon their former *Votes of the House of Commons.*
- ‘ Votes concerning the *Militia.*
- ‘ That the King’s Absence, so far remote from his Parliament, was not only an Obstruction, but might be a Destruction to the Affairs of *Ireland.*
- ‘ That when the Parliament *, which is the supreme Court of Judicature in the Kingdom, shall declare *what the Law of the Land is*, to have this not only questioned and controverted, but contradicted; and a Command, that it should not be obeyed, is a high Breach of the Privilege of Parliament. (1)
- ‘ That a Committee shall be appointed by the House to join with a Committee of Lords to enquire where this Message was framed.
- ‘ That those Persons that did advise his Majesty to absent himself from the Parliament, are Enemies

Votes of the House of Commons.
 March 16.
 Rush. IV.
 P. 534.

REMARK (1). *The Commons use here the equivocal Word [Parliament] in an improper Sense. It is true, the Parliament, which consists of the King and the two Houses, has a right to declare what is Law; to make New and repeal Old Laws, because the Authority of both Houses, with the Royal Assent, is deemed the Authority of the whole Kingdom. But before now, the two Houses alone had never enjoyed this Right. Nay, in strictness, the two Houses cannot be called the Parliament, because the Parliament is a Body composed of three Members, and not two only, [namely, King, Lords, and Commons.]*

* In *Rushworth* the Words are, *When the Lords and Commons in Parliament.* Rush. IV. p. 34.

1641-2. ‘ to the Peace of this Kingdom, and justly suspected
 ‘ to be Favourers of the Rebellion in *Ireland*, as are
 ‘ also those that advised his Majesty to this Mes-
 ‘ sage”.

Votes of
 the Lords.
 Ibid.

It was at the same time resolved upon the Question
 by the Lords in Parliament, *Nemine Contradicente*,

‘ That the Ordinance of the Lords and Commons
 ‘ in Parliament for the Safety and Defence of the
 ‘ Kingdom of *England* and Dominions of *Wales*, is
 ‘ not any way against the Oath of *Allegiance*.

‘ That the several Commissions granted under the
 ‘ Great-Seal to the Lieutenants of the several Coun-
 ‘ ties, are illegal and void.

‘ That whosoever shall execute any Power over
 ‘ the Militia of this Kingdom and Dominion of *Wales*,
 ‘ by colour of any Commission of Lieutenancy,
 ‘ without consent of both Houses of Parliament,
 ‘ shall be accounted a Disturber of the Peace of this
 ‘ Kingdom.

‘ Moreover, both Houses voted with one common
 ‘ Consent, That the Kingdom hath been of late, and
 ‘ still is in so evident and imminent Danger, both
 ‘ from Enemies Abroad, and a Popish Party at
 ‘ Home; That there is an urgent and inevitable Ne-
 ‘ cessity of putting his Majesty’s Subjects into a
 ‘ Posture of Defence, for the Safeguard both of his
 ‘ Majesty and his People.

‘ That the Lords and *Commons* fully apprehending
 ‘ this Danger, and being sensible of their own Duty,
 ‘ to provide a suitable Prevention, have in several
 ‘ Petitions addressed themselves to his Majesty for the
 ‘ ordering and disposing of the Militia of the King-
 ‘ dom, in such a way as was agreed upon by the
 ‘ Wisdom of both Houses to be most effectual and
 ‘ proper for the present Exigents of the Kingdom;
 ‘ yet could not obtain it, but his Majesty did sever-
 ‘ al times refuse to give his Royal Assent there-
 ‘ unto.

“ That

‘ That in this Case of extreme Danger, and of
 ‘ his Majesty’s Refusal, the Ordinance agreed on by
 ‘ both Houses for the Militia, doth oblige the
 ‘ People, and ought to be obeyed by the fundamen-
 ‘ tal Laws of this Kingdom.

‘ That such Persons as shall be nominated Depu-
 ‘ ty-Lieutenants, and approved of by both Houses,
 ‘ shall receive the Commands of both Houses, to
 ‘ take upon them to execute their Offices”.

These Resolutions were taken with a great deal of
 Precipitation, for the two Houses had not yet re-
 ceived the King’s Answer to their Declaration of the
 9th of *March*. But as by his last Message the King
 had sufficiently shown that he intended not to depart
 from his Right concerning the *Militia*, they thought
 it needless to wait for a more particular Notification.
 Some time after the King sent them his Answer in
 Form of Declaration.

*The KING’S Declaration to both Houses
 of Parliament, in Answer to that pre-
 sented to him at Newmarket, March 9.*

1641-2. *

‘ **T** Hough the Declaration lately presented to us
 ‘ at *Newmarket* from both our Houses of Par-
 ‘ liament be of so strange a Nature, in respect of
 ‘ what we expected, (after so many Acts of Grace
 ‘ and Favour to our People) and some Expressions
 ‘ in it so different from the usual Language to Princes,
 ‘ that we might well take a very long time to con-
 ‘ sider it: Yet the Clearness and Uprightness of our

Rush. IV.
 p. 535.

* This Declaration is without Date; it was sent from *York* a
 few Days after his coming thither, says the Lord *Clarendon*,
 Vol. II. p. 459.

1641-2 ' Conscience to God, and Love to our Subjects, hath
 ' supplied us with a speedy Answer, and our un-
 ' speakable Affection to our People prevailed with
 ' us to suppress that Passion, which might well
 ' enough become us upon such an Invitation.

' We have reconsidered our Answer of the first of
 ' this Month at *Theobalds*, which is urged to have
 ' given just Cause of Sorrow to our Subjects. Who-
 ' soever looks over that Message, (which was in ef-
 ' fect to tell us, that if we would not join with them
 ' in an Act we conceived prejudicial and dangerous
 ' to us and the whole Kingdom, they would make
 ' a Law without us, and impose it upon our People)
 ' will not think that sudden Answer can be excepted
 ' to.

' We have little Encouragement to Replies of this
 ' Nature, when we are told of how little value our
 ' Words are like to be with you ; though they come
 ' accompanied with all the Actions of Love and
 ' Justice (where there is room for Actions to ac-
 ' company them) yet we cannot but disavow the
 ' having any such evil Council or Counsellors to our
 ' knowledge, as are mentioned ; and if any such be
 ' discovered, we will leave them to the Censure and
 ' Judgment of our Parliament: In the mean time
 ' we could wish, that our own immediate Actions,
 ' which we avow, and our Honour might not be so
 ' roughly censured and wounded, under that com-
 ' mon Stile of evil Counsellors.

' For our faithful and zealous Affection for the
 ' Protestant Profession, and our Resolution to con-
 ' cur with our Parliament in any possible Course for
 ' the Propagation of it, and the Suppression of Po-
 ' pery, we can say no more than we have already ex-
 ' pressed in our Declaration to our loving Subjects,
 ' published in *Ireland* by the Advice of our Privy-
 ' Council, in which we endeavoured to make as
 ' lively a Confession of our Self in this point, as we
 ' were able, being most assured, that the constant
 ' Practice of our Life hath been answerable thereun-

‘ to; and therefore we did rather expect a Testimo- 1641-2.
 ‘ ny and Acknowledgment of such our Zeal and
 ‘ Piety, than those Expressions we met with in the
 ‘ Declaration of any Design of altering Religion in
 ‘ this Kingdom; and we do (out of the Innocence
 ‘ of our Soul) wish, that the Judgments of Heaven
 ‘ may be manifested upon those who have, or have
 ‘ had any such Design. (1)

‘ As for the *Scotch* Troubles, we had well thought
 ‘ that those unhappy Differences had been wrapt up
 ‘ in perpetual Silence by the Act of Oblivion,
 ‘ which being solemnly passed in the Parliaments of
 ‘ both Kingdoms, stops our Mouth from any other
 ‘ Reply, than to shew our great Dislike for reviving
 ‘ the Memory thereof. (2)

‘ If the Rebellion in *Ireland*, (so odious to all
 ‘ Christians) seems to have been framed and main-
 ‘ tained in *England*, or to have any Countenance from
 ‘ hence, we conjure both our Houses of Parliament,
 ‘ and all our loving Subjects whatsoever, to use all
 ‘ possible means to discover and find such out, that
 ‘ we may join in the most exemplary Vengeance upon
 ‘ them that can be imagined; but we must think our
 ‘ selves highly and causelessly injured in our Reputa-
 ‘ tion, if any Declaration, Action or Expression of
 ‘ the *Irish* Rebels, any Letters from Count *Rosetti* to
 ‘ the Papiests for Fasting and Praying, or from *Tristram*
 ‘ *Whitecomb*, of strange Speeches uttered in *Ireland*,

REMARK (1). *This Article of the King's Answer seems very weak. For the Parliament having set forth, in their Declaration, the Reasons why they believed there was a settled Design to alter Religion in England, and that the King encouraged the Authors, his Majesty only answers in Generals.*

REM. (2). *It is very visible, the King is willing to avoid entering into Particulars upon this Head, though being attacked by the Parliament, he might have vindicated himself without infringing the Peace between the two Kingdoms, or the Act of Oblivion.*

‘ shall

1641—2.

‘ shall beget any Jealousy or Misapprehension in our
 ‘ Subjects, of our Justice, Piety and Affection, it
 ‘ being evident to all Understandings, that those
 ‘ mischievous and wicked Rebels are not so capable
 ‘ of great Advantage, as by having their false Dis-
 ‘ courses so far believed, as to raise Fears and Jeal-
 ‘ ousies to the Distraction of this Kingdom, the
 ‘ only way to that Security: and we cannot express a
 ‘ deeper Sense of the Suffering of our poor Pro-
 ‘ testant Subjects in that Kingdom, than we have
 ‘ done in our often Messages to both Houses, by
 ‘ which we have offered, and are still ready to ven-
 ‘ ture our Royal Person for their Redemption;
 ‘ well knowing, that as we are (in our own Interest)
 ‘ more concerned in them, so we are to make a
 ‘ strict Account to Almighty God, for any Neg-
 ‘ lect of our Duty, or their Preservation. (3)

‘ For the manifold Attempts to provoke our late
 ‘ Army, and the Army of the Scots, and to raise a
 ‘ Faction in the City of London, and other parts of
 ‘ the Kingdom; if it be said, as relating to us, we
 ‘ cannot without great Indignation suffer our selves
 ‘ to be reproached, to have intended the least Force
 ‘ or Threatning to our Parliament, as the being
 ‘ privy to the bringing up of the Army would im-
 ‘ ply; whereas we call God to witness, we never had
 ‘ any such Thought, or knew of any such Resolu-
 ‘ tion concerning our late Army. (4)

“ For

REM. (3). *The King continues here to clear himself from the Suspicions conceived against him with regard to Ireland by Generals, and his own Testimony. But these Proofs taken from his Word, and other outward Demonstrations, were not sufficient to satisfy every body. The Parliament did not accuse him of having been wanting in Expressions of Zeal for the reducing of Ireland, but of having neglected the Thing in effect.*

REM. (4). *We have seen in the Account of that Conspiracy, what were the several Projects of the Conspirators,*

1641-2.

' For the Petition shewed to us by Captain *Legg*,
 ' we well remember the same, and the Occasion of
 ' that Conference : Captain *Legg* being lately come
 ' out of the *North*, and repairing to us at *Whiteball*;
 ' we asked him of the State of our Army, and (af-
 ' ter some relation made of it) he told us, that the
 ' Commanders and Officers of the Army had a mind
 ' to petition the Parliament, as others of our People
 ' had done, and shewed us the Copy of a Petition,
 ' which we read, and finding it to be very humble,
 ' desiring the Parliament might receive no Interrup-
 ' tion in the Reformation of the Church and State,
 ' to the Model of Queen *Elizabeth's* Days ; we told
 ' him, we saw no harm in it ; whereupon he replied,
 ' that he believed all the Officers in the Army would
 ' like it, only he thought Sir *Jacob Ashly* would be
 ' unwilling to sign it, out of fear that it might dis-
 ' please us. We then read the Petition over again,
 ' and then observing that neither in Matter or Form,
 ' we conceived it could possibly give just Cause of
 ' Offence. We delivered it to him again, bidding him
 ' give it to Sir *Jacob Ashly*, for whose Satisfaction we
 ' had written C. R. upon it, to testify our Approba-
 ' tion : And we wish that the Petition might be seen
 ' and published, and then we believe it will appear
 ' no dangerous one, nor a just Ground for the least
 ' Jealousies or Misapprehension. (5)

' For

tors, and that indeed they came to no Resolution, parti-
cularly as to the bringing up the Army to London. The
King certainly knew all the Circumstances of the Plot ; but
as there was nothing resolved, he artfully sticks here to the
denying that he was privy to any Resolution, which is
matter of Faët, for in truth there was no Resolution taken.
This did not hinder but that he knew of the Design in ge-
neral to gain the Army, of which he says not a Word.

REM. (5). If we compare what the King says here
 of the Contents of this Petition, with that the Lord
 Clarendon

1641-2.]

‘ For Mr. *Jermin*, it is well known that he was
 ‘ gone from *Whitehall*, before we received the Desires
 ‘ of both Houses for the Restraint of our Servants,
 ‘ neither returned he hither, or passed over by any
 ‘ Warrant granted by us after that time. (6)

‘ For the Breach of Privilege in the Accusation of
 ‘ the Lord *Kimbolton*, and the other five Members of
 ‘ the House of Commons, we thought we had given
 ‘ so ample Satisfaction in our several Messages to
 ‘ that purpose, that it should be no more pressed a-
 ‘ gainst us; being confident, if the Breach of Pri-
 ‘ vilege had been greater than ever before offered,
 ‘ our Acknowledgment and Retraction hath been
 ‘ greater than ever King hath given; besides, the
 ‘ not examining how many of our Privileges have
 ‘ been invaded in Defence and Vindication of the
 ‘ other; and therefore we hoped our true and ear-
 ‘ nest Protestation in our Answer to your Order con-
 ‘ cerning the *Militia*, would so far have satisfied you
 ‘ of our Intentions then, that you would no more
 ‘ have entertained any Imagination of any other De-
 ‘ sign than we there expressed. (7)

*Clarendon has inserted in his History, we shall find the
 Lord Clarendon's cannot be the same as that the King
 writ C. R. upon.*

*The King's Word must be taken, to believe that this
 same Petition had nothing in it prejudicial to the Parlia-
 ment. For hitherto it has never appeared.*

REM. (6). *It is certain, Jermin went beyond Sea by
 the King's Warrant. It may be, the King had granted
 the Warrant before he received the Parliament's Petition :
 but the Parliament pretended the Warrant was anti-
 dated.*

REM. (7). *The King was much mistaken in imagining
 that bare Protestations were capable of satisfying the
 Parliament of the Sincerity of his Intentions. Nay, the
 very Declaration he was answering, might have con-
 vinced him of the contrary, since it was there said in
 plain terms, his word was not to be relied upon.*

‘ But

‘ But why the lifting of so many Officers, and ^{1641-2.}
 ‘ entertaining them at *Whiteball*, should be miscon-
 ‘ strued, we much marvel, when it is notoriously
 ‘ known, the Tumults at *Westminster* were so great,
 ‘ and their Demeanors so scandalous and seditious,
 ‘ that we had good Cause to suppose our Person,
 ‘ and those of our Wife and Children to be in ap-
 ‘ parent Danger, and therefore we had great Reason
 ‘ to appoint a Guard about us, and to accept the
 ‘ dutiful Tender of the Services of any of our loving
 ‘ Subjects, which was all we did to the Gentlemen of
 ‘ the *Inns of Court*.

‘ For the Lord *Digby*, we assure you in rhe Word
 ‘ of a King, that he had not our Warrant to pass
 ‘ the Seas, and had left our Court before we ever
 ‘ heard of the *Vote* of the House of *Commons*, or had
 ‘ any Cause to imagine, that his Absence would
 ‘ have been excepted against.

‘ What your Advertisements are from *Rome*,
 ‘ *Venice*, *Paris*, and other Parts, or what the *Pope’s*
 ‘ Nuncio sollicitis the Kings of *France* or *Spain* to do,
 ‘ or from what Persons such Informations come to
 ‘ you, or how the Credit of such Persons have been
 ‘ sifted and examined, we know not; but are confi-
 ‘ dent no sober, honest Man in our Kingdoms can
 ‘ believe, that we are so desperate, or so senseless to
 ‘ entertain such Designs, as would not only bury this
 ‘ Kingdom in sudden Distraction and Ruin, but our
 ‘ Name and Posterity in perpetual Scorn and In-
 ‘ famy; and therefore we could have wished, that
 ‘ in Matters of so high and tender a Nature
 ‘ (wherewith the Minds of our good Subjects must
 ‘ needs be startled) all the Expressions were so
 ‘ plain and easy, that nothing might stick with them
 ‘ with Reflection upon us, since you thought fit to
 ‘ publish it all.

‘ And having now dealt thus plainly and freely
 ‘ with you by way of Answer to the particular
 ‘ Grounds of your Fears; we hope (upon a due
 ‘ Con-

1641—2.

‘ Consideration, and weighing both together) you
‘ will find not the Grounds to be of that Moment
‘ to beget, or longer to continue a Misunderstanding
‘ betwixt us, or force you to apply your selves to
‘ the Use of any other Power than what the Law
‘ hath given you, the which we always intend shall
‘ be the Measure of our own Power, and expect
‘ it shall be the Rule of our Subjects Obedience.

‘ Concerning our Fears and Jealousies ; as we
‘ had no Intention of accusing you, so we are sure
‘ no words spoken by us (on the sudden) at *Theo-*
‘ *balds*, will bear that Interpretation. We said, for
‘ our Residence near you, we wish it might be so
‘ safe and honourable, that we had no Cause to
‘ absent our self from *Whitehall* ; and how this can
‘ be Breach of Privilege of Parliament we cannot
‘ understand. We explained our Meaning in our
‘ Answer at *Newmarket*, at the Presentation of this
‘ Declaration, concerning the printed seditious Pam-
‘ phlets and Sermons, and the great Tumults at
‘ *Westminster* ; and we must appeal to you and all
‘ the World, whether we might not justly suppose
‘ our Self in danger of either : And if we were
‘ now at *Whitehall*, what Security have we that
‘ the like shall not be again ; especially if any
‘ Delinquents of that Nature have been appre-
‘ hended by the Ministers of Justice, and been res-
‘ cued by the People, and so as yet escape un-
‘ punished ? If you have not been informed of the
‘ seditious Words used in, and the Circumstances
‘ of those Tumults, and will appoint some way
‘ for the Examination of them, we will require
‘ some of our learned Council to attend with
‘ such Evidence as may satisfy you, and till that
‘ be done, or some other Course be taken for
‘ our Security, you cannot (with Reason) wonder
‘ that we intend not to be, where we most desire
‘ to be.

‘ And

‘ And can there yet want Evidence of our hearty
 ‘ and importunate Desire to join with our Parliament
 ‘ and all our faithful Subjects, in Defence of the Re-
 ‘ ligion and publick Good of the Kingdom? Have
 ‘ we given you no other earnest but Words, to se-
 ‘ cure you of these Desires? The very Remonstrance
 ‘ of the House of *Commons* (published in *November*
 ‘ last,) of the State of the Kingdom, allows us a
 ‘ more real Testimony of our good Affections, than
 ‘ Words: That Remonstrance valued our Acts of
 ‘ Grace and Justice (8) at so high a rate, that it de-
 ‘ clared the Kingdom to be a Gainer, though it
 ‘ charged it self by *Bills of Subsidies*, and *Poll-Money*,
 ‘ with the levy of 600000 *l.* besides the contracting
 ‘ of a Debt to our *Scotch* Subjects of 220000 *l.* (9).

‘ Are the *Bills* for the Triennial Parliament, relin-
 ‘ quishing our Title of imposing upon Merchandize,
 ‘ and Power of pressing Soldiers, for the taking a-
 ‘ way the *Star-Chamber*, and *High-Commission-Courts*,
 ‘ for the regulating the Council-Table, but Words?
 ‘ Are the *Bills* for the *Forests*, the *Stannery-Courts*,
 ‘ the Clerk of the Market, and the taking away the
 ‘ Votes of the Bishops out of the Lords House, but
 ‘ Words? Lastly, What greater Earnest of our
 ‘ Trust and Reliance on our Parliament, could we,
 ‘ or can we give, than the passing of a Bill for the
 ‘ continuance of the present Parliament? The length
 ‘ of which we hope will never alter the Nature of
 ‘ Parliament,

REM. (8). *Hitherto the King had not spoken of his Assent to the Acts of this Parliament, but as an Act of Grace. He began in this Paper to add, of Justice.*

REM. (9). *It is true the Nation had been great Gainers by these Acts of Grace and Justice. But the King could not make to be considered as a convincing Proof of his Love for his People, the giving his Consent that the illegal Taxes of his own imposing should be abolished, and the Monopolies authorized by himself, suppressed. Especially as it was not altogether in his Power to refuse his Assent.*

1641 2. ' Parliament, and the Constitution of this Kingdom,
 ' or invite our Subjects so much to abuse our Confi-
 ' dence, as to esteem any Thing fit for the Parlia-
 ' ment to do, which were not, if it were in our
 ' Power to dissolve it to Morrow. And after all
 ' these, and many other Acts of Grace on our Part
 ' (that we might be sure of a perfect Reconciliation
 ' betwixt us and all our Subjects) we have offered,
 ' and are still ready to grant a Free and General Par-
 ' don, as ample as your selves shall think fit. Now
 ' if these be not real Expressions of the Affections of
 ' our Soul, for the publick Good of our Kingdom;
 ' we must confess, that we want Skill to manifest
 ' them (10).

' To conclude, (although we think our Answer al-
 ' ready full to that Point concerning our return to
 ' London;) we are willing to declare, that we look
 ' upon it as a Matter of so great Weight, as with re-
 ' ference to the Affairs of the Kingdom, and our
 ' own Inclinations and Desires, that if all we can say
 ' or do, can raise a mutual Confidence (the only
 ' way with God's Blessing to make us all Happy)
 ' and by your Encouragement the Laws of the Land,
 ' and the Government of the City of London, may
 ' recover some Life for our Security, we will over-
 ' take your Desires, and be as soon with you as you
 ' can wish; and in the mean Time we will be sure
 ' that neither the Business of Ireland, or any other
 ' Advantage for this Kingdom shall suffer through
 ' our default, or by our Absence; we being so
 ' far from repenting our Acts of Justice and Grace,
 ' which we have already performed to our People,

REM. (10). *A sort of Sophistry runs quite through this Article, consisting of the Supposition that the King had consented to all these Acts, purely out of Love and Affection for his People, which few Persons believed. Besides, all these Acts having been made only to suppress the Abuses introduced by the King himself, there was no occasion, methinks, to talk so much of them.*

' that

‘ that we shall with the same Alacrity be still ready
 ‘ to add such new ones, as may best advance the
 ‘ Peace, Honour, and Prosperity of this Nation. 1641-2.

Before the Parliament received this Answer, they had sent another Petition to the King in reply to his Majesty’s sudden Answer to the Declaration delivered at *New-Market*. Though these Answers and Replies be somewhat long and full of Repetitions, yet I think it necessary to insert them at large, to the end the Reader may be able to pass an impartial Judgment upon this Quarrel. For in Matters of this Nature, and especially in this which has given Birth to two Parties still in Being in *England*, a Man runs the risk of falling into gross Mistakes, if he rests upon the Credit and Prejudices of the Historians, who are all of one Party or other. It will be better therefore to leave the Reader at Liberty to judge of it himself upon the Parties own Papers. Here follows the Parliament’s Petition.

May it please your Majesty,

‘ YOUR most loyal Subjects, the Lords and
 ‘ Commons assembled in Parliament, cannot
 ‘ conceive that the Declaration which your Majesty
 ‘ received from us at *New-Market*, was such as did
 ‘ deserve that Censure your Majesty was pleased to
 ‘ lay upon us in that Speech, which your Majesty
 ‘ made to our Committees there, and sent in Writing
 ‘ to both Houses; our Address therein being
 ‘ accompanied with Plainness, Humility, and Faith-
 ‘ fulness, we thought more proper for the removing
 ‘ the Distraction of the Kingdom, than if we had
 ‘ then proceeded according to your Majesty’s Mes-
 ‘ sage of the 20th of *January*, by which your Ma-
 ‘ jesty was pleased to desire that we would declare
 ‘ what we intended to do for your Majesty, and
 ‘ what we expected to be done for our selves; in both
 ‘ which we have been very much hindered by your
 ‘ Majesty’s

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*The Reply
 of both
 Houses to
 the King's
 Answer
 given to
 their De-
 claration.*
 March 26.
 Rush. IV.
 P. 538.

1642. ' Majesty's Denial to secure us and the whole King-
 ' dom, by disposing the *Militia*, as we had di-
 ' vers times most humbly petitioned ; and yet we
 ' have not been altogether negligent of either, hav-
 ' ing lately made good Proceedings in preparing a
 ' Book of Rates to be passed in a Bill of Tonnage
 ' and Poundage ; and likewise the most material
 ' Heads of those humble Desires, which we intended
 ' to make to your Majesty, for the Good and Con-
 ' tentment of your Majesty and your People ; but
 ' none of these could be perfected before the King-
 ' dom be put into Safety, by settling the *Militia* : And
 ' until your Majesty shall be pleased to concur with
 ' your Parliament in these necessary Things, we hold
 ' it impossible for you to give the World, or your
 ' People, such Satisfaction concerning the Fears and
 ' Jealousies which we have expressed, as we hope
 ' your Majesty hath already received touching that
 ' Exception, which you were pleased to make to Mr.
 ' Pym's Speech.

' As for your Majesty's Fears and Doubts, the
 ' Ground whereof is from seditious Pamphlets and
 ' Sermons, we shall be as careful to endeavour the re-
 ' moval, as soon as we shall understand what Pam-
 ' phlets and Sermons are by your Majesty intended,
 ' as we have been to prevent all dangerous Tumults.
 ' And if any extraordinary Concourse of People out
 ' of the City of *Westminster*, had the Face and Shew
 ' of Tumult and Danger in your Majesty's Appre-
 ' hension, it will appear to be caused by your Ma-
 ' jesty's Denial of such a Guard to your Parliament,
 ' as they might have cause to confide in ; and by
 ' taking into *Whitehall* such a Guard for your Self,
 ' as gave just Cause of Jealousie to the Parliament,
 ' and of Terror and Offence to your People ; we
 ' seek nothing but your Majesty's Honour, and the
 ' Peace and Prosperity of your Kingdoms ; and we
 ' are heartily sorry we have such plentiful Matter of
 ' an Answer to that Question, Whether you had vio-
 ' lated our Laws ?

‘ We beseech your Majesty to remember that the
‘ Government of this Kingdom, as it was in a great
‘ part managed by your Ministers before the begin-
‘ ning of this Parliament, consisted of many continu-
‘ ed and multiplied Acts of Violation of the Laws ;
‘ the Wounds whereof were scarcely healed, when
‘ the extremity of all those Violations was far exceed-
‘ ed by the late strange and unheard-of Breach of
‘ our Laws, in the Accusation of the Lord *Kimbol-*
‘ *ton*, and five Members of the Commons House,
‘ and in the Proceedings thereupon, for which we
‘ have received no full Satisfaction.

‘ To your Majesty’s next Question, Whether you
‘ had denied any Bill, for the Ease and Security of
‘ your Subjects, we wish we could stop in the midst
‘ of our Answer ; That with much Thankfulness we
‘ acknowledge that your Majesty hath passed many
‘ good Bills, full of Contentment and Advantage
‘ to your People ; but Truth and Necessity inforceth
‘ us to add this, that even in or about the Time of
‘ passing those Bills, some Design or other hath been
‘ on Foot ; which if it had taken Effect, would not
‘ only have deprived us of the Fruit of those Bills,
‘ but even have reduced us to a worse Condition of
‘ Confusion, than that wherein the Parliament found
‘ us.

‘ And if your Majesty had asked us the third Ques-
‘ tion, intimated in that Speech, What we had done
‘ for your Self ? our Answer would have been much
‘ more easy, That we had paid two Armies, where-
‘ with the Kingdom was burthened last Year ; and
‘ have undergone the Charge of the War in *Ireland*,
‘ at this time, when through many other excessive
‘ Charges and Pressures, your Subjects have been ex-
‘ hausted, and the Stock of the Kingdom very much
‘ diminished ; which great Mischiefs, and the Charges
‘ thereupon ensuing, have been occasioned by the
‘ evil Councils so powerful with your Majesty, which
‘ have, and will have cost this Kingdom more than

1642. ' two Millions, all which in Justice ought to have
' been born by your Majesty.

' As for that free and general Pardon your Ma-
' jesty has been pleased to offer, it can be no Secu-
' rity to our Fears and Jealousies, for which your
' Majesty seems to propound it, because they arise
' not from any Guilt of our own Actions, but from
' the evil Designs and Attempts of others.

' To this our humble Answer to that Speech we
' desire to add an Information, which we lately re-
' ceived from the Deputy-Governour of the Mer-
' chant-Adventurers at *Rotterdam* in *Holland*, that an
' unknown Person appertaining to the Lord *Digby*,
' did lately sollicite one *James Henly*, a Mariner,
' to go to *Elsenore*, and to take Charge of a Ship in
' the Fleet of the King of *Denmark*, there prepared,
' which he should conduct to *Hull*; in which Fleet
' likewise, he said, a great Army was to be trans-
' ported: And although we are not apt to give Cré-
' dit to Informations of this Nature; yet we cannot
' altogether think it fit to be neglected, but that it
' may justly add somewhat to the Weight of our
' Fears and Jealousies, considering with what Cir-
' cumstances it is accompanied, with the Lord *Digby's*
' preceeding Expressions in his Letter to her Majesty
' and Sir *Lewis Dives*, and your Majesty's succeeding
' Course of withdrawing your Self *Northwards* from
' your Parliament, in a manner very suitable and
' correspondent to that evil Council, which we doubt
' will make much deeper Impression in the generality
' of your People; and therefore we most humbly
' advise and beseech your Majesty for the procuring
' and settling the Confidence of your Parliament,
' and all your Subjects; and for the other impor-
' tant Reasons concerning the recovery of *Ireland*,
' and securing this Kingdom, which have been for-
' merly presented to your Majesty; you will be gra-
' ciously pleased (with all convenient speed) to return
' to these Parts, and to close with the Council and
' Desire of your Parliament, where you shall find
' their

‘ their dutiful Affections and Endeavours ready to
 ‘ attend your Majesty with such Entertainment, as
 ‘ shall not only give your Majesty just Cause of Se-
 ‘ curity in their Faithfulness, but other manifold E-
 ‘ vidences of their earnest Intentions and Endeavours
 ‘ to advance your Majesty’s Service, Honour, and
 ‘ Contentment, and to establish it upon the sure
 ‘ Foundation of the Peace and Prosperity of all your
 ‘ Kingdoms.’

This *Petition* was presented to the King at *York*, the 26th of *March*. He had already sent away his Answer to the Declaration of both Houses, and therefore he mentions it in his Answer to this last *Petition*.

The KING’s ANSWER (a) *.

‘ IF you would have had the Patience to have ex-
 ‘ pected our Answer to your last Declaration
 ‘ (which considering the Nature of it, hath not been
 ‘ long in coming) we believe you would have saved
 ‘ your selves the labour of saying much of this Mes-
 ‘ sage; and we could wish that our Privileges in all
 ‘ Parts were so stated, that this way of Correspon-
 ‘ dence might be preserved with that Freedom which
 ‘ hath been used of old; for we must tell you, that
 ‘ if you may ask any Thing of us by way of Mes-
 ‘ sage or Petition, and in what Language (how un-
 ‘ usual soever) you think fit, and we must neither
 ‘ deny the Thing you ask, nor give a Reason why
 ‘ we cannot grant it, without being taxed with break-
 ‘ ing your Privileges, or being counselled by those
 ‘ who are Enemies of the Peace of the Kingdom,
 ‘ and Favourers of the *Irish* Rebellion (for we have
 ‘ seen your printed *Votes*, upon our Message from
 ‘ *Huntington*) you will reduce all our Answers here-

Rush IV.
P. 539.

(a) Without date. * It was sent back by the same Hands that brought the *Petition*. *Clarend. II* p. 469.

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‘ after into a very little room : In plain *English*, it
 ‘ is to take away the Freedom of our Vote, which
 ‘ were we but a Subject were high Injustice ; but be-
 ‘ ing your King, we leave all the World to judge
 ‘ what it is (1).

‘ Is this the way to compose all Mis-understand-
 ‘ ings? We thought we shewed you one by your Mes-
 ‘ sage of the 20th of *January* ; if you have a better, or
 ‘ a readier, we shall willingly hearken unto it, for hi-
 ‘ therto you have shewed us none : But why the refusal
 ‘ to consent to your Order (which you call a Denial of
 ‘ the *Militia*) should be any Interruption to it, we
 ‘ cannot understand ; for the *Militia* (which we al-
 ‘ ways thought necessary to be settled) we never
 ‘ denied the Thing, (as we told you in our Answer
 ‘ of the 28th of *January*, to the Petition of the
 ‘ House of Commons) for we accepted the Persons,
 ‘ (except for Corporations) we only denied the way :
 ‘ You ask it by way of Ordinance, and with such a
 ‘ Preface, as we can neither with Justice to our Ho-
 ‘ nour or Innocence consent to: You exclude us from
 ‘ any Power in the Disposition, or Execution of it, to-
 ‘ gether with you, and for a Time utterly unlimited.
 ‘ We tell you, we would have the Thing done ; allow
 ‘ the Persons (with that Exception) desire a *Bill* (the
 ‘ only good old way of imposing on our Subjects)
 ‘ we are extremely unsatisfied what an Ordinance is ;
 ‘ but well satisfied, that without our Consent it is
 ‘ nothing, not binding ; and it is evident by the long
 ‘ Time spent in this Argument, the Necessity and
 ‘ Danger was not so imminent but a *Bill* might have
 ‘ well been prepared ; which, if it shall yet be done
 ‘ with that due regard to us, and Care of our Peo-
 ‘ ple, in the limitation of the Power, and other Cir-
 ‘ cumstances,

REMARK (1). *The Parliament supposed an immi-
 nent Danger, which obliged them to act in an unusual
 Manner, and the King supposed the Government to be
 in its usual and natural State. This Mis-understanding
 continually returns in the Papers of both Sides.*

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‘ cumstances, we shall recede from nothing we formerly expressed in that Answer to your Order; otherwise we must declare to all the World, that we are not satisfied with it, or shall ever allow our Subjects to be bound by your printed Votes of the fifteenth or sixteenth of this Month, or that under Pretence of declaring what the Law of the Land is, you shall without us make a new Law, which is plainly the Case of the *Militia*; and what is this but to introduce an arbitrary way of Government (2)?

‘ Concerning *Pym’s* Speech, you will have found by what the Lord *Compton*, and Mr. *Bainton* brought from us, in Answer to that Message they brought to us, that as yet we rest nothing satisfied in that Particular.

‘ As for the seditious Pamphlets and Sermons, we are both sorry and ashamed in so great Variety, and in which our Rights, Honour, and Authority are so insolently slighted and vilified, and in which the Dignity and Freedom of Parliament is so much invaded and violated, it should be asked of us to Name any; the mentioning of the *Protestation protested*, the Apprentices Protestation, *To your Tents*, *O Israel!* or any other, would be too great an excuse for the rest: If you think them not worth

REM. (2). *It is no wonder the King and the Parliament could not agree upon any one Thing, since they reasoned upon different Principles. The King supposed that the ordering the Militia desired by both Houses, ought to be done after the usual way; whereas the Parliament pretended that the Danger the Kingdom was in, and of which the King was the Cause, gave them a Right to demand an extraordinary Regulation, wherein the King should have no Hand. On the other side, it is manifest, that the Restrictions proposed by the King in this Article, left him at Liberty to dispute eternally, and to refuse the Bill which should be presented to him, unless it was wholly ineffectual for the Designs of the Parliament.*

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‘ your Inquiry, we have done : But we think most
 ‘ strange to be told, that our Denial of a Guard
 ‘ (which we yet never denied, but granted in another
 ‘ manner, and under a Command at that time most
 ‘ accustomed in the Kingdom) or the Denial of any
 ‘ Thing else (which is in our Power legally to
 ‘ deny,) which in our Understanding (of which God
 ‘ hath surely given us some use) is not fit to be
 ‘ granted, should be any excuse for so dangerous a
 ‘ Concourse of People ; which, not only in our Ap-
 ‘ prehension, but (we believe) in the Interpretation
 ‘ of the Law it self, hath been always held most tu-
 ‘ multuous and seditious. And we most wonder what,
 ‘ and from whence come the Instructions and Infor-
 ‘ mations that those People have, who can so easily
 ‘ think themselves obliged by the Protestation to
 ‘ assemble in such a manner for the defence of Privi-
 ‘ leges, which cannot be so clearly known to any of
 ‘ them, and so negligently pass over the Considera-
 ‘ tion, and Defence of our Rights, so beneficial and
 ‘ necessary for themselves, and scarce unknown to
 ‘ any of them, which by their Oaths of Allegiance
 ‘ and Supremacy (and even by the same Protestation)
 ‘ they are at least equally obliged to defend. And
 ‘ what Interruptions such kind of Assemblies may be
 ‘ to the Freedom of future Parliaments, (if not sea-
 ‘ sonably discountenanced and suppressed) we must
 ‘ advise you to consider, as likewise whether both
 ‘ our Powers may not by such Means be usurped by
 ‘ Hands not trusted by the Constitution of this King-
 ‘ dom. For our Guard, we refer you to our An-
 ‘ swer to your Declaration.

‘ By that Question of violating your Laws ; by
 ‘ which we endeavoured to express our Care and Re-
 ‘ solution to observe them ; we did not expect you
 ‘ would have been invited to have looked back so
 ‘ many Years, for which you have had so ample Re-
 ‘ paration : Neither looked we to be reproached
 ‘ with the Actions of our Ministers (then against the
 ‘ Laws) whilst we express so great a Zeal for the pre-

‘ sent Defence of them, it being our Resolution upon the Observation of the Mischief which then grew by Arbitrary Power, (though made plausible to us by the Suggestions of Necessity and imminent Danger ; and take you heed you fall not into the same Error upon the same Suggestions) hereafter to keep the Rule our Self, and to our Power require the same from all others (3) : But above all, we must be most sensible of what you cast upon us for requital of those good *Bills* you cannot deny. We have denied any such Design, and as God Almighty must judge in that Point between us, who knows our upright Intentions at the passing those Laws : So in the mean Time we defy the Devil to prove that there was any Design (with our Knowledge or Privy) in or about the Time of passing those *Bills*, that had it taken effect could have deprived our Subjects of the Fruit of them : And therefore we demand full Reparation in this Point, that we may be cleared in the sight of all the World, and chiefly in the Eyes of all our loving Subjects, from so notorious and false an Imputation as this is.

‘ We are far from denying what you have done ; for we acknowledge the Charge our People have sustained in keeping the two Armies, and in relieving *Ireland*, of the which we are so sensible, that in regard of those great Burthens our People have undergone, we have, and do patiently suffer those extreme personal Wants, as our Predecessors have been seldom put to, rather than we would press upon them ; which we hope (in time) will be considered on your parts (4).

‘ In

REM. (3). *Those that undertake to vindicate King Charles's Government during the first fifteen Years of his Reign, do more than ever he pretended to do himself, as appears by this Clause of his Answer.*

REM. (4). *The King gloried in having suffered patiently,*

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‘ In our Offer of a general Pardon, our Intent was to compose and secure the general Condition of our Subjects, conceiving that in these Times of great Distractions, the good Laws of the Land have not been enough observed : But it is a strange World when Princes proffered Favours are accounted Reproaches : Yet if you like not this our Offer, we have done.

‘ Concerning any Discourses of foreign Forces, though we have given you a full Answer in ours to your last Declaration, yet we must tell you, we have neither so ill an Opinion of our own Merit, or the Affections of our good Subjects, as to think our Self in need of any foreign Force to preserve us from Oppression, (and we shall not need for any other purpose) but are confident (through God’s Providence) not to want the good Wishes and Assistance of the whole Kingdom, being resolved to build upon that sure Foundation, the Law of the Land. We take it very ill that any general Discourses between an unknown Person and a Mariner, or Inferences upon Letters should be able to prevail in Matters so improbable in themselves, and scandalous to us ; for which we cannot but likewise ask Reparation, not only for the Vindication of our own Honour, but also thereby to settle the Minds of our Subjects, whose Fears and Jealousies would soon vanish, were they not fed and maintained by such false and malicious Rumours as these.

‘ For our return to our Parliament, we have given you a full Answer in ours to your Declaration, and you ought to look on us as not gone but driven (we say not by you, yet) from you. And if it be not so easy for you to make our Residence in *London* so safe as we could desire, we are, and will be contented that our Parliament be adjourned to such a Place, where we may be fitly and safely with you.

‘ For

tiently, since this Parliament, wants which it had not been in his Power to relieve.

‘ For although we are not pleased to be at this
 ‘ Distance, yet ye are not to expect our Presence,
 ‘ until ye shall both secure us, concerning our just
 ‘ Apprehensions of tumultuary Insolencies ; and like-
 ‘ wise give us Satisfaction for those insupportable and
 ‘ insolent Scandals that are raised upon us. (5)

‘ To conclude, as we have, or shall not refuse any
 ‘ way agreeable to Justice or Honour, which shall be
 ‘ offered to us for the begetting a right Understand-
 ‘ ing between us ; so we are resolved, that no Straits
 ‘ or Necessities (to which we may be driven) shall
 ‘ ever compel us to do that, which the Reason and
 ‘ Understanding that God hath given us, and our
 ‘ Honour and Interest, with which God hath trusted
 ‘ us for the Good of our Posterity and Kingdom,
 ‘ shall render unpleasant and grievous unto us.

‘ And we assure you that (how meanly soever you
 ‘ are pleased to value the Discharge of our publick
 ‘ Duty) we are so conscious to our Self of having
 ‘ done our part since this Parliament, that in what-
 ‘ soever Condition we now stand, we are confident
 ‘ of the continued Protection of Almighty God, and
 ‘ the constant Gratitude, Obedience and Affection of
 ‘ our People ; and we shall trust God with all”.

All these Papers were not capable of obliging the King or the Parliament to alter their Measures. The Parliament was resolved to devest the King of the Command of the *Militia*, and the King was fully determined not to give up that Point.

After this Answer, both Houses sent a Message to the King, directing the Lord-Keeper to inclose it in a Letter to the Secretary attending his Majesty at York, to inform him that the Lord Admiral's Indisposi-

Both Houses name the Earl of Warwick to command the Fleet.

REM. (5). *The King took care not to return to London, at a Time when he was going to try to secure Hull. The Terms he required for his Return were so uncertain, that they would have afforded Room for a long Dispute.*

March 28. Rush IV. p. 542.

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sition disabling him for commanding the Fleet in his own Person, they had recommended to his Lordship the Earl of *Warwick* to supply his Place. But understanding since that his Majesty had appointed for that Employment Sir *John Pennington*, they besought him not to prefer this last to the Earl of *Warwick*.

He is received against the King's Will.

March 31.

The King was very angry at this Message, which was not by the way of Petition or Declaration, and sent the Lord-Keeper word, that his Resolution was that he would not alter the Person whom he had appointed. But he was not Master: for, by the Connivance of the Earl of *Northumberland*, who was Lord-Admiral, the Earl of *Warwick* was acknowledged Commander of the Fleet against the King's Will.

Paper published touching the Militia. Rush. IV. Ibid.

April 22.

About the sametime a Paper was dispersed Abroad, wherein the Author examined, how Laws are to be understood, and Obedience yielded? A Question necessary for the present State of Things touching the *Militia*. His Majesty (says he) is intrusted by Law with the *Militia*; but it is for the Good and Preservation of the People, and not against them. So that when there is a well-grounded Suspicion that the King intends to employ the *Militia* against the People, he is not to be obeyed, for it is not likely that the Intent of the Law is to invest the King with a Power to be used against his Subjects. This is the Sum of the Author's Reasoning, as it was properly that of both Houses. The King having perused this Paper, sent a Message to the Lords to require them to find out the Author of so pernicious a Doctrine, and punish him according to his Deserts. But he objected nothing in particular against the Author's Principles and Arguments.

Whilst the Business of the *Militia* was in Agitation, the King came to the Gates of *Hull* with some Troops: but Sir *John Hotbom* denied him Admittance, as we shall see presently. It is easy to judge that this Proceeding of the King's helped not to remove the Parliament's Fears and Suspicions, and the rather that having passed a *Bill* for settling the *Militia*,
rather

as the King desired, this *Bill* had been rejected. The Affair of *Hull* happening shortly after, the Parliament thought all Regards were to be thrown aside, imagining the King sought only to amuse them, and make them lose time. Mean while the King, five or six Days after his Disappointment at *Hull*, sent a Message to the Parliament, dated *April* the 28th, containing his Reasons for not consenting to the *Militia-Bill*, which had been presented to him. The Message was expressed in the following Manner:

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*The King
rejects the
Militia-
Bill.*

‘ **W**E have with great Deliberation and Patience weighed and considered (it concerning us much to weigh the Consequences of every Law before we pass it) your Bill lately sent to us, for the settling of the Militia; and though it hath not been usual to give any Reasons for our Refusal to pass any Bill (it being absolutely in our Power to pass, or not pass any Act sent unto us by you, if we conceive it prejudicial to our Self, or inconvenient for our Subjects, for whom we are trusted, and must one Day give give an Account;) yet in this Business of the Militia, which being misunderstood by our good Subjects, hath been used as an Argument, as if we were not vigilant enough for the publick Safety: And least we should be thought less constant in our Resolutions, and this Bill to be the same we sent unto you; we have thought fit to give you and all the World particular Satisfaction why we must not, ought not, cannot pass this Bill, being the first publick Bill to our Remembrance we have refused this Parliament; and therefore we must complain, that having expressed our Self so clearly and particularly to you in this Point, you should press any thing upon us, which you could not but foresee that we must refuse, except we departed from those Resolutions, grounded upon so much Reason, which we had so earnestly before acquainted you with, and against which you have not given one Argument to satisfy our Judgment.

*The King's
Message to
both Houses of Par-
liament.
April 28.
Rush. IV.
P. 544.*

‘ We

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‘ We are pleased that you have declined the unwarrantable Course of your Ordinance, (to the which we are confident our good Subjects would never have yielded Consent) and chosen this only right way of imposing upon our People, which we would have allowed, but for the Reasons hereafter mentioned.

‘ We refused to consent to your Ordinance, as for other things, so, for that the Power was put into the Persons nominated therein by Direction of both Houses of Parliament, excluding us from any Power in the Disposition or Execution of it together with you. We then advised you for many Reasons, that a Bill should be prepared, and after, in our Answer of the 26th of *March* last, to the Petition of both Houses, we told you, if such a Bill should be prepared with that due regard to us, and care of our People in the Limitation of the Power, and other Circumstances, we should recede from nothing we formerly expressed. (1)

‘ What passed (enough to have discouraged us from being farther solicitous in that Argument) after our full and gracious Answers, we are content to forget. When we resolved of our Journey into *Ireland*, (so that by reason of our Absence there might be no want of settling that Power) besides complying with your Fears, we sent, together with a Message of that our purpose, a Bill for the settling that Power for a Year, hoping in that time to return to you ; and being sure that in much less time you might do the Business for which you seemed at first to desire this, which was, that you might securely consider our Message of the 20th of *January* last. By that Bill we consented to those Names which were proposed in your Ordinance, and

REMARK (1). *Whether after all the King was in the Right or in the Wrong concerning the Business of the Militia, it is certain his Design at first was only to amuse the Parliament, and this is what he strives to hide in this Article.*

‘ in

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‘ in the Limitation of the Power, provided that our
 ‘ Self should not be able to execute any thing but
 ‘ by your Advice; and when we should be out of
 ‘ the Kingdom, the sole Execution to be in you;
 ‘ with many other things of so arbitrary and uncir-
 ‘ cumscribed a Power, that we should not have con-
 ‘ sented to, but with reference to the Absence of our
 ‘ own Person out of the Kingdom, and thought it the
 ‘ more sufferable, in respect the Time was but for a
 ‘ Year. Whether this be the Bill you have now
 ‘ sent to us to pass, let all the World judge. (2)

‘ You have by this Bill now tendered to us, (with-
 ‘ out taking notice of us) put the Power of the
 ‘ whole Kingdom, the Life and Liberties of the
 ‘ Subjects of all Degrees and Qualities, into the
 ‘ Hands of particular Men for two Years. Can you
 ‘ imagine we will trust such an absolute Power in the
 ‘ Hands of particular Persons, which we refused to
 ‘ commit to both Houses of Parliament? Nay, is not
 ‘ the Power itself too absolute, too unlimited to be
 ‘ committed to any private Hands? Hath not Sir
 ‘ John Hotbam’s high Insolence shewed us, what we
 ‘ may expect from an exorbitant legal Power, when
 ‘ he by a Power not warranted by Law, dares venture

REM. (2). *The Lord Clarendon freely owns, that the King’s Offer to go into Ireland was all a Stratagem. Since then the King had no design to go thither, it follows that the Bill he had sent to both Houses, and which he pretended he should not have consented to, but with reference to his Absence, was no more than an Amusement. We see here, that the general Limitations he had annexed to his first Engagement, were not without Design. He knew how to particularize them in the Bill he sent to the Parliament, and was very sensible it would not be received with all these Restrictions. Thus his Aim in this Clause was only to colour the Pretence he had used in his first Promise touching the Militia.* Clarend. II. p. 501.

‘ upon

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‘ upon a treasonable Disobedience (3)? But we would
 ‘ willingly know (and indeed such an Account in or-
 ‘ dinary Civility we might have expected) why we
 ‘ are by this Act absolutely excluded from any
 ‘ Power or Authority in the Execution of this Mi-
 ‘ litia. Sure your Fears and Jealousies are not of
 ‘ such a Nature, as are capable of no other Remedy,
 ‘ than by leaving us no Power in a Point of the
 ‘ greatest Importance, in which God and the Law
 ‘ hath trusted us solely, and which we were contented
 ‘ to share with you by our Bill, by putting it and a
 ‘ greater into the Hands of particular Subjects?
 ‘ What would all Christian Princes think of us, after
 ‘ we had passed such a Bill? How would they value
 ‘ our Sovereignty? And yet sure our Reputation
 ‘ with foreign Princes is some Ground of your Secu-
 ‘ rity: Nay, we are confident, by that time you have
 ‘ thoroughly considered the possible Consequence of
 ‘ the Bill upon your selves, and the rest of our good
 ‘ Subjects, you and they will give us Thanks for not
 ‘ consenting to it, finding their Condition (had it
 ‘ passed) not to have been so pleasing to them. We
 ‘ hope this Animadversion will be no Breach of your
 ‘ Privileges in this throng of Business, and distemper
 ‘ of Affections; it is possible that second Thoughts
 ‘ may present something to your Consideration, which
 ‘ escaped you before.

‘ We passed this Parliament, at your Entreaty, a
 ‘ Bill concerning the Captives of *Algier*, and waved
 ‘ many Objections of our own to the contrary, upon
 ‘ Information that the Business had been many
 ‘ Months considered by you. Whether it prove
 ‘ suitable to your Intentions, or whether you have
 ‘ not by some private Order suspended that Act of

R E M. (3). *It was but five or six Days since Sir John Hotham denied him Entrance into Hull* *.

* The Lord *Clarendon* places this Message before the King's going to *Hull*. See Vol. II. p. 505, &c.

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‘ Parliament upon view of the Mistakings, you best
 ‘ know: As likewise, what other great Alterations
 ‘ you have made in other Bills passed this Session.
 ‘ We cannot pass over the putting their Names out
 ‘ of this Bill, whom before you recommended to us
 ‘ in your Ordinance, it seems, not thinking fit to
 ‘ trust those who would obey no Guide but the *Law*
 ‘ of the Land, (we imagine you would not wish we
 ‘ should in our Estimation of others follow that
 ‘ your Rule) and the leaving out by special Pro-
 ‘ vision the present Lord-Mayor of *London*, as a
 ‘ Person in your disfavour; whereas we must tell
 ‘ you, his Demeanour hath been such, that the City
 ‘ and the whole Kingdom is beholding to him for
 ‘ his Example. (4).

To conclude, we do not find our Self possessed
 ‘ with such an Excess of Power, that it is fit to trans-
 ‘ fer, or consent it should be in other Persons, (as
 ‘ is directed by the Bill;) and therefore we shall re-
 ‘ ly upon that Royal Right and Jurisdiction which
 ‘ God and the Law hath given us, for the sup-
 ‘ pressing of Rebellion, and resisting foreign Inva-
 ‘ sion, which hath preserved this Kingdom in the
 ‘ time of all our Ancestors, and which, we doubt not,
 ‘ but we shall be able to execute; and not more for
 ‘ our own Honour and Right, than for the Liberty
 ‘ and Safety of our People, we cannot consent to pass
 ‘ this Bill.

*The DECLARATION of the Lords and
 Commons concerning his Majesty's last
 Message about the Militia.*

‘ THE Lords and Commons holding it necessa- Rush. IV.
 ‘ ry for the Peace and Safety of this Kingdom, P. 545.
 ‘ to settle the Militia thereof, did, for that purpose, May 5.

REM. (4). *It was Gurney that was then Lord-
 Mayor of London, and entirely devoted to the King.*

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' prepare an Ordinance of Parliament, and with all
 ' Humility did present the same to his Majesty for
 ' his Royal Assent; who, notwithstanding the faith-
 ' ful Advice of his Parliament, and the several
 ' Reasons offered by them of the Necessity thereof,
 ' for the securing of his Majesty's Person, and the
 ' Peace and Safety of his People, did refuse to give
 ' his Consent; and thereupon they were necessitated,
 ' in discharge of the Trust reposed in them, as the
 ' Representative Body of the Kingdom; to make an
 ' Ordinance by Authority of both Houses; to settle
 ' the Militia warranted thereunto by the fundamental
 ' Laws of the Land: (1) His Majesty taking notice
 ' thereof, did by several Messages invite them to
 ' settle the same by Act of Parliament; affirming in
 ' his Majesty's Message sent in Answer to the Petition
 ' of both Houses presented to his Majesty at York,
 ' March 26. That he always thought it necessary the
 ' same should be settled, and that he never denied *the*
 ' *Thing*, only denied *the Way*; and for the Matter of
 ' it, took Exceptions only to the Preface, as a thing
 ' not standing with his Honour to consent to, and
 ' that *himself was excluded* in the Execution, and for
 ' *a Time unlimited*: Whereupon the Lords and Com-
 ' mons being desirous to give his Majesty all Satis-
 ' faction that might be, even to the least Tittle of
 ' Form and Circumstance; and when his Majesty was
 ' pleased to offer them a Bill ready drawn, did, for
 ' no other Cause, than to manifest their hearty Af-
 ' fection to comply with his Majesty's Desires, and
 ' obtain his Consent, entertain the same; in the
 ' mean time no way declining their Ordinance, and

REMARK (1). *This fundamental Law was nothing
 else but the Law of Nature, which allows every Man
 to provide for his own Defence when he sees himself ex-
 posed to Danger, and such was the Case the Parliament
 supposed themselves in. For otherwise there was no po-
 sitive Law which gave this Power to the two Houses of
 Parliament.*

' to exprefs their earneft Zeal to correspond with his
 ' Majesty's Desire, (in all things that might confift
 ' with the Peace and Safety of the Kingdom, and
 ' the Trust reposed in them) did pafs that Bill, and
 ' therein omitted the Preamble inserted before the
 ' Ordinance, limited the time to lefs than two Years,
 ' and confined the Authority of the Lieutenants to
 ' thefe Three Particulars, namely, *Rebellion, Infur-*
 ' *rection* and *foreign Invasion*, and returned the fame
 ' to his Majesty for his Royal Affent: But all thefe
 ' Exprefions of Loyalty and Affection, all thofe
 ' Defires and earneft Endeavours to comply with his
 ' Majesty, hath (to their great Grief and Sorrow)
 ' produced no better Effect than an absolute Denial,
 ' even of that which his Majesty by his former Mes-
 ' fages, as we conceive, had promifed; the Advice
 ' of wicked and evil Councils receiving ftill more
 ' Credit with him than that of his Great Council of
 ' Parliament, in a Matter of fo high Importance,
 ' that the Safety of his Kingdom, and the Peace of
 ' his People depend on it. (2) But now what muft
 ' be the Exceptions to this Bill? Not any fure that
 ' were to the Ordinance; for a Care was taken to
 ' give Satisfaction in all thefe Particulars. Then the
 ' Exception was, becaufe that the difpofing and exe-
 ' cution thereof was referred to both Houfes of Parlia-
 ' ment, and *his Majesty excluded*; and now that by the
 ' Bill the Power and Execution is afcertained, and re-
 ' duced to Particulars, and the Law of the Realm
 ' made the Rule thereof; his Majesty will not trust
 ' the *Persons*. The Power is *too great*, *too unlimited*

REM. (2). *If the King on his Part fuppofed the Go-*
vernment to be in its natural State, and that confequently
he ought to enjoy all his Prerogatives, the Parliament
made here a Suppofition which was not liable to fewer
Objections. That is, in the prefent Juncture, the King
ought to confider them as his great Council, and be guided
by their Directions.

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‘ to trust them with, (3) But what is that Power?
 ‘ Is it any other, but in exprefs Terms to suppress Re-
 ‘ bellion, Infurrection, and foreign Invasion? And
 ‘ who are those Persons? Are they not such as were
 ‘ nominated by the Great Council of the Kingdom,
 ‘ and assented to by his Majesty? And is it too great
 ‘ a Power to trust those Persons with the Suppression
 ‘ of Rebellion, Infurrection, and foreign Invasion?
 ‘ Surely the most wicked of them that advised his
 ‘ Majesty to this Answer, cannot suggest but that
 ‘ it is necessary for the Safety of his Majesty’s Royal
 ‘ Person, and the Peace of the Kingdom, such a
 ‘ Power should be put in some Hands, and there is
 ‘ no Pretence of Exception to the Persons; his Ma-
 ‘ jesty for the Space of above Fifteen Years toge-
 ‘ ther, thought not a Power far exceeding this to be
 ‘ too great to intrust *particular Persons* with, to whose
 ‘ Will the Lives and Liberties of his People by *Mar-*
 ‘ *tial Laws* were made subject; for such was the
 ‘ Power given to *Lord-Lieutenants* and *Deputy-Lieu-*
 ‘ *tenants* in every County of this Kingdom, and that
 ‘ without the Consent of his People, or Authority
 ‘ of Law; but now in case of extreme Necessity,
 ‘ upon Advice of *both Houses* of Parliament, for no
 ‘ longer space than *two Years*, a *lesser* Power, and
 ‘ that for the Safety of the King and People, is

REM. (3). *The Parliament pretends to show here that they had regarded the King’s Complaints, and that nevertheless the King had refused to pass the Bill. They own that one of his Majesty’s Complaints against the Ordinance was his being wholly excluded from having any Thing to do in the settling the Militia. To make appear therefore that the King had reason to be satisfied with the Bill, it should have been said, And now that by the Bill he is joined in the Execution with the two Houses. But instead of this, they say, And now that the Execution is ascertained, and the Law of the Realm made the Rule. It is easy to see that this is not the direct contrary to the King’s Complaint.*

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‘ thought *too great* to trust particular Persons with,
‘ though named by both Houses of Parliament, and
‘ approved of by his Majesty himself: And surely,
‘ if there be a Necessity to settle the Militia (which
‘ his Majesty was pleased to confess) the Persons
‘ cannot be trusted with *less* Power than this to have
‘ it at all effectual: And the Precedents of former
‘ Ages, when there happened a Necessity to raise such
‘ a Power, never straitned that Power to a narrower
‘ Compass; witness the *Commissions* of *Array* in several
‘ King’s Reigns, and often issued out by the Consent
‘ and Authority of Parliament. The Lords and
‘ Commons therefore intrusted with the Safety of the
‘ Kingdom, and Peace of the People (which they
‘ call God to witness is their only Aim) finding
‘ themselves denied these their so necessary and just
‘ Demands, and that they can never be discharged
‘ before God and Man, if they should suffer the
‘ Safety of the Kingdom, and Peace of the People
‘ to be exposed to the Malice of the malignant Party
‘ at Home, or the Fury of their Enemies from
‘ Abroad: And knowing no other way to encounter
‘ the imminent and approaching Danger, but by putting
‘ the People into a fit Posture of Defence, do resolve
‘ to put their said Ordinance in present Execution,
‘ on, and do require all Persons in Authority, by virtue
‘ of the said Ordinance, forthwith to put the same
‘ in Execution, and all others to obey it, according
‘ to the fundamental Laws of the Kingdom in such
‘ Cases, as they tender the upholding of the true
‘ Protestant Religion, the Safety of his Majesty’s
‘ Person, and his Royal Posterity, the Peace of
‘ the Kingdom, and the Being of this Commonwealth.

His MAJESTY'S Answer to the Parliament's DECLARATION (a).

WE very well understand how much it is below the high and Royal Dignity (wherein God hath placed us) to take notice, much more to trouble our Self with answering those many scandalous, seditious Pamphlets, and printed Papers, which are scattered with such great Licence throughout the Kingdom (notwithstanding our earnest Desire so often in vain pressed for a Reformation) though we find it evident, that the Minds of many of our weak Subjects have been and still are poisoned by those Means, and that so general a Terror hath possessed the Minds and Hearts of all Men, that while the *Presses* swarm (and every Day produceth new *Traacts* against the established Government of the Church and State) most Men want the *Courage*, or the *Conscience* to write, or the Opportunity and Encouragement to publish such composed, sober Animadversions, as might either preserve the Minds of our good Subjects from such Infection, or restore and recover them when they are so infected; but we are contented to let our Self fall to any Office that may deceive our People, and to take more Pains this way by our own *Pen*, than ever King hath done, when we find any Thing that seems to carry the Authority or Reputation of either, or both Houses of Parliament, and will not have the same refuted or disputed by common and vulgar Pens, 'till we are thoroughly informed whether those Acts have in Truth that Countenance and Warrant they pretend; which Regard of ours, we doubt not but in time will recover that due Reverence (the Absence whereof we have too much Reason to complain of)

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‘ to our Person, and our Messages, which in all Ages hath been paid (and no doubt is due) to the Crown of *England*.

‘ We have therefore taken notice of a printed Paper, intituled, *A Declaration of both Houses of Parliament, in Answer to our last Message concerning the Militia*, published by Command; the which we are unwilling to believe (both for the Matter of it, the Expressions in it, and the manner of publishing it) can result from the Consent of both Houses; neither do we know by what lawful Command such uncomely, irreverent mention of us can be published to the World. And though Declarations of this kind have of late (with too much boldness) broken in upon us, and the whole Kingdom, when one or both Houses have thought fit to communicate their Counsels and Resolutions to the People; yet we are unwilling to believe that such a Declaration as *this* should be published in Answer to our Message, without vouchsafing at least to send it to us as their Answer. Their Business for which they are met by our Writ and Authority, being to *counsel Us* for the good of our People, not to write against us to our People, and no Consent of ours for their long continuing together, enabling them to do any Thing, but what they were first summoned by our Writ to do: At least we will believe, though Mis-understanding and Jealousie (the Justice of God will overtake the Fomenters of that Jealousy, and the Promoters and Contrivers of that Mis-understanding) might produce (to say no worse) those very untoward Expressions, that if those Houses had contrived that Declaration, as an Answer to our Message, they would have vouchsafed some Answer to the Question proposed in ours; which we professed did, and must evidently prevail over our Understanding; and in their Wisdom and Gravity, they would have been sure to have stated the Matters of Fact, as (at least to ordinary Understand-

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ings) might be unquestionable ; neither of which is done by that Declaration.

‘ We desire to know why we were by that Act absolutely excluded from any Power or Authority in the execution of the *Militia* ; and we must appeal to all the World, whether such an attempt be not a greater and juster Ground for Fear and Jealousie in us, than any one that is avowed for those destructive Fears and Jealousies, which are so publickly owned, almost to the ruin of the Kingdom. But we have been told, That we *must not be jealous of our great Council of both Houses of Parliament* ; we are not, no more than they are of us, their King ; and as hitherto they have not avowed any Jealousy of, or Dissaffection to our Person ; imputed all to our *evil Counsellors*, to a malignant Party that are not of their Minds : so we do (and we do it from our Soul) profess no Jealousy of our Parliament, but some *turbulent, seditious*, and ambitious Natures, which (being not so clearly discerned) may have an Influence, even upon the Actions of both Houses : And if this Declaration hath passed by such Consent (which we are not willing to believe) it is not impossible, but that the Apprehension of such Tumults, which have driven us from the City of *London*, for the safety of our Person, may make such an Impression in other Men (not able to remove from the Danger) to make their Consent, or not to own a Dissent in Matters not agreeable to their Conscience or Understanding.

‘ We mentioned in that our Answer, our dislike of the putting of their Names out of the Bill, whom before they recommended to us in their pretended Ordinance, and the laying out, by special Provision, the present Lord-Mayor of *London*, to all which the Declaration affords no Answer to that our Message, and therefore we cannot suppose it was intended for an Answer to that our Message ;
‘ which

‘ which whosoever shall look upon will find to be
 ‘ in no Degree answered by that Declaration.

‘ But it informs all our Subjects, after the mention
 ‘ with what Humility the Ordinance was prepared, and
 ‘ presented to us, (a Matter very evident in the Petiti-
 ‘ ons and Messages concerning it) and our refusal to
 ‘ give our Consent, notwithstanding the several Rea-
 ‘ sons offered of the Necessity thereof, for the securing
 ‘ our Person, and the Peace and Safety of our People
 ‘ (whether any such Reasons were given, the Weight
 ‘ of them, and whether they were not clearly and
 ‘ candidly answered by us, the World will easily
 ‘ judge) and that they were at last necessitated to
 ‘ make an *Ordinance* by Authority of both Hou-
 ‘ ses to settle the *Militia*, warranted thereunto by
 ‘ the *Fundamental Laws* of the Land : But if that De-
 ‘ claration had indeed intended to have answered us,
 ‘ it would have told our good Subjects what those
 ‘ *Fundamental Laws of the Land are*, and where to
 ‘ be found ; and would at least have mentioned one
 ‘ Ordinance from the first beginning of Parliaments
 ‘ to this present Parliament, which endeavoured to
 ‘ impose any Thing upon the Subjects without the
 ‘ King’s Consent ; for of such, all the Inquiry we
 ‘ can make could never produce us one Instance (1) :
 ‘ And

REMARK (1). *The King and the Parliament played
 alike with the Term Fundamental Law. The Parlia-
 ment gave the Fundamental Law to the Trust placed in
 them by the People, which obliged the two Houses to take
 Care of the Publick Safety, when the Kingdom was in
 danger, the which was not properly a Law. The King
 on his Side, would own none for Fundamental, but posi-
 tive, express, and particular Laws upon the Case in
 Hand, and required such to be produced. It is an easy
 Matter for unbyassed Persons to solve this Difficulty. If
 we suppose with the Parliament that the King intended
 to establish an arbitrary Government, it is certain the Par-
 liament had a right to oppose it by virtue of the Trust*
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‘ And if there be such a Secret of the Law, which
 ‘ hath lain hid from the beginning of the World to
 ‘ this Time, and now is discovered to take away the
 ‘ just, legal Power of the King, we wish there be
 ‘ not some other Secret (to be discovered when they
 ‘ please) for the Ruin and Destruction of the *Liberty*
 ‘ *of the Subject* : For no doubt, if the *Votes* of both
 ‘ Houses have any such Authority to make a new
 ‘ Law, it hath the same Authority to repeal the old,
 ‘ and then what will become of the long established
 ‘ Rights and Liberties of the King and Subject, and
 ‘ particularly of *Magna Charta*, will be easily dis-
 ‘ cerned by the most ordinary Understanding (2.) It
 ‘ is true, we did (out of the Tenderness of the Con-
 ‘ stitution of the Kingdom, and Care of the Law
 ‘ which we are bound to defend, and being most
 ‘ assured of the unjustifiableness of the pretended Or-
 ‘ dinance) invite and desire both our Houses of Par-
 ‘ liament to settle whatsoever should be fit of that
 ‘ Nature by Act of Parliament ; but were we there-
 ‘ fore obliged to pass whatsoever should be brought
 ‘ to

put in them by the People, and as the representative Body of the Nation, and in such Case it might be said that they were supported by a fundamental Law, or something of the like Import. But if we suppose with the King that the Government was in its ordinary and natural State, and there was no reason to suspect him, it is certain, the Parliament had no Business to meddle with the Militia, without the King's Consent. The whole consists therefore in the Truth or Falsehood of these two Suppositions.

REM. (2). *Never were the Liberties of the People in more Danger of being destroyed than in the Reign of Charles I, notwithstanding Magna-Charta, and the Laws of the Land. So that whatever the King said against the Parliament, held as strongly against himself. Besides, his Reasoning could be of no force but in virtue of the Supposition mentioned in the foregoing Article, which was very far from being made out.*

' to us of that kind? We did say in our Answer to
 ' the Petition of both Houses, presented to us at
 ' York the 26th of *March* last, (and we have said the
 ' same in our Message before) that we always thought
 ' it necessary the Business of the *Militia* should be
 ' settled, and that we never denied *the Thing*, only
 ' denied *the Way*; and we say the same still, since the
 ' many Disputes and Votes upon Lord-Lieutenants and
 ' their Commissions (which were begun by us or our
 ' Father) had so discountenanced that Authority,
 ' which for many Years together was happily looked
 ' upon with Reverence and Obedience by the Peo-
 ' ple: We did, and do think it necessary, that some
 ' wholesome Law be provided for that Business; but
 ' we declared in our Answer to the pretended Ordi-
 ' nance, we expected that that necessary Power should
 ' be first invested in us, before we consented to transfer
 ' it to other Men (3): Neither could it ever be ima-
 ' gined, that we could consent that a greater Power
 ' should be in the Hands of a Subject, than we were
 ' thought worthy to be trusted with our Self. And
 ' if it shall not be thought fit to make a new Act or
 ' Declaration in this Point, we doubt not but we
 ' shall be able to grant such Commissions, which
 ' shall very legally enable those we trust, to do all
 ' Offices for the Peace and Quiet of the Kingdom, if
 ' any Disturbance shall happen.

' But that Declaration saith, we were pleased to offer
 ' them a Bill ready drawn; and that they, (to express
 ' their earnest Zeal to correspond with our Desire)
 ' did pass that Bill; yet all that Expression of Affection
 ' and Loyalty; all that earnest Desire of theirs to com-
 ' ply with us, produced no better Effect than an absolute
 ' Denial,

REM. (3). *There was no manner of occasion to invest
 the King with the Power to suppress Rebellions and In-
 surrections, and repel Invasions, in order to his trans-
 ferring that Power to others, since he was of Course in-
 vested with the same. But the King endeavours to colour
 his Denial by representing that Power as exorbitant.*

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‘ Denial, even of what by our former Messages (as that
 ‘ Declaration conceives) we had promised; and so
 ‘ proceeds (under the Pretense of mentioning evil
 ‘ and wicked Councils) to censure and reproach us,
 ‘ in a Dialect, that we are confident our good Sub-
 ‘ jects will read with much Indignation on our behalf.
 ‘ But sure if that Declaration had passed the Exa-
 ‘ mination of both Houses of Parliament, they
 ‘ would never have affirmed that the *Bill* we refused
 ‘ to pass was *the same* we sent to them, or have
 ‘ thought that our Message, wherein the *Difference*
 ‘ and Contrariety between the two *Bills* is so particu-
 ‘ larly set down, would be answered with the bare
 ‘ averring them to be one and the same *Bill*; no
 ‘ more would they have declared (when our Excep-
 ‘ tions to the Ordinance and the *Bill* are so notorious-
 ‘ ly known to all our People) that Care being taken
 ‘ to give Satisfaction in all the Particulars we had ex-
 ‘ cepted against in the Ordinance, we had found new
 ‘ *Exceptions* to the *Bill*: And yet this very Declara-
 ‘ tion confesses that our Exception to the Ordinance
 ‘ was, that in the disposing and Execution thereof,
 ‘ *we were excluded*; and was not this an *express* *Rea-*
 ‘ *son* in our Answer for refusal of the *Bill*, which this
 ‘ Declaration will needs confute? But the Power was
 ‘ no other than to suppress *Rebellion*, *Insurrection*,
 ‘ and *foreign Invasion*; and the Persons trusted no o-
 ‘ ther than such as were nominated by the great Coun-
 ‘ cil of the Kingdom, and *assented* to by us; and
 ‘ that Declaration asks, if that be too great a Power
 ‘ to trust these Persons with? Indeed, while so great
 ‘ Liberty is used in voting and declaring Men to be
 ‘ Enemies to the Commonwealth, (an *English* Phrase
 ‘ we scarcely understand) and in censuring Men for
 ‘ their Service and Attendance upon our Person, and
 ‘ in our lawful Commands, great heed must be taken
 ‘ into what Hands we commit such a Power to sup-
 ‘ press Insurrection and Rebellion; and if Insurrecti-
 ‘ on and Rebellion have found other Definitions,
 ‘ than what the Law hath given them, we must be
 ‘ sure

' sure that no lawful Power shall justify those Defini-
 ' tions ; and if there be Learning found out to make
 ' Sir *John Hotbam's* taking Arms against us, and
 ' keeping our Town and Fort from us, *no Treason*
 ' and *Rebellion*, we know not whether a new Dis-
 ' covery may not find it *Rebellion in us* to defend
 ' our Self from such Arms, and to endeavour to re-
 ' cover what is so taken from us (4) ; and therefore
 ' it concerns us, (till the known Law of the Land
 ' be allowed to be a Judge between us) to take heed
 ' into what Hands we commit such Power : Be-
 ' sides, can it be thought, that because we are wil-
 ' ling to trust certain Persons, that we are obliged
 ' to trust them in whatsoever they are willing to be
 ' trusted ? We say, no private Hands are fit for such
 ' a Trust, neither have we departed from any Thing
 ' (in the least degree) we offered, or promised be-
 ' fore ; though we might with as much Reason have
 ' withdrawn our Trust from some Persons we before
 ' had excepted, as they did from others whom they
 ' recommended. For the Power which we are charg-
 ' ed to have committed to particular Persons, for the
 ' space of fifteen Years by our Commissions of Lieu-
 ' tenancy, it is notoriously known, that it was not
 ' a Power created by us, but continued very many
 ' Years, and in the most happy Times this King-
 ' dom hath enjoyed ; even those of our renowned
 ' Predecessors *Queen Elizabeth*, and our Father of
 ' happy Memory (5), and whatever Authority was
 ' granted by those Commissions, which were kept in
 ' the old Forms, they were determined at our Plea-
 ' sure,

REM. (4). *The King always reasoned upon the Sup-
 position that the Government was in its natural State,
 and that there was no Cause to suspect him, a Suppositi-
 on which was not granted him.*

REM. (5). *The Example of King James I. is no good
 Evidence. I very much question that in times of Peace,
 Queen Elizabeth ever made her Subjects liable to be tried
 by the Martial Law.*

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‘ sure, and we know not, that they produced any of
 ‘ those Calamities, which might give our Subjects
 ‘ Cause to be so weary of them, as to run the ha-
 ‘ zard of so much Mischief, as that Bill we refused
 ‘ might possibly have produced.

‘ For the Precedents of former Ages in the Com-
 ‘ missions of *Array*, we doubt not, but when any such
 ‘ are issued out, that the King’s Consent was always
 ‘ obtained, and the Commissions determinable at his
 ‘ Pleasure, and then what the extent of Power was,
 ‘ will be nothing applicable to this Case of Ordi-
 ‘ nance.

‘ But whether that Declaration hath refuted our
 ‘ Reasons for our refusal to pass the *Bill*, or no, it
 ‘ hath resolved and required all Persons in Authority
 ‘ thereby to put the *Ordinance* in present Execution,
 ‘ and all others to obey it according to the Funda-
 ‘ mental Laws of the Land. But we whom God
 ‘ hath trusted to maintain and defend the Fundamen-
 ‘ tal Laws (which, we hope, he will bless to secure *Us*,)
 ‘ do declare, that there is no *Legal Power* in either,
 ‘ or both Houses, upon any pretence whatsoever,
 ‘ without our Consent, to command *any Part of the*
 ‘ *Militia* of this Kingdom; nor hath the like ever
 ‘ been commanded by either or both Houses,
 ‘ since the Foundation of the Laws of the Land;
 ‘ and that the Execution of, or the Obedience to
 ‘ that pretended Ordinance, is against the Fundamen-
 ‘ tal Laws of the Land, against the Liberty of the
 ‘ Subject, and the right of Parliaments, and a high
 ‘ Crime in any that shall henceforth execute the same.
 ‘ And we do therefore Charge and Command all our
 ‘ loving Subjects, of what Degree or Quality soever
 ‘ *upon their Allegiance*, and as they tender the Peace
 ‘ of this Kingdom, from henceforth, not to Muster,
 ‘ Levy, Array, Summon, or warn any of our
 ‘ Train’d-Bands to Rise, Muster, or March by Vir-
 ‘ tue, or under Colour of that *pretended Ordinance*.
 ‘ And to this Declaration and Command of ours, we
 ‘ expect and require full Submission and Obedience
 ‘ from

‘ from all our loving Subjects, upon their Allegiance, as they will answer the contrary at their Perils ; and as they tender the upholding of the true Protestant Religion, the Safety of our Person, and our Royal Posterity, the Peace and Being of this Kingdom. ’

Having given most of the *Papers* published on both Sides concerning the Business of the *Militia*, I shall endeavour, for the Readers better understanding the Thing, to explain a little more fully the Ground and Bottom of the Quarrel between the King and the Parliament, which I could not do but very briefly in my short Remarks on several Passages of these Papers.

The Parliament did not deny, but in the ordinary Course of the Government, the Right of settling the *Militia*, and appointing those who were to command under him, was in the King alone. But they affirmed, that in the present extraordinary Case, it was incumbent on them to take Care the Kingdom perished not by the King's Default. The Case they supposed was this, the King, for the space of fifteen Years, endeavoured to establish an absolute Government, and actually established the same on divers Occasions: He pretended that he might govern without Parliaments, and accordingly did so for twelve Years together ; during which Interval, he violated sundry Laws, and ruled after an Arbitrary manner. Being compelled by Necessity to call this present Parliament, he seemed to acknowledge the Injustice of his former Conduct, by giving his Consent to the good *Acts* which were made for the redress of past Grievances, and the Prevention of the like for the future. But at the very time that he expressed so great Condescension for his Subjects and an outward Repentance for his Faults, he ceased not to devise Means to become absolute as he was before. The Parliament inferred from this his Conduct, that the King's Condescension was only in appearance ; that on the first fair Opportunity, he would revoke the *Acts* he had consented

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to, and which he affected to term always, *Acts of Grace*, though they were really *Acts of Justice*. Consequently it was necessary to put it out of his Power to go from what he had done, if he should desire it. The only way to hinder him from doing so was to put the *Militia* of the Kingdom into safe Hands, who should not depend upon the King, and prevent him from having Power over the *Militia*, for fear this same Power, either in him solely, or jointly with the two Houses, might enable him to break all the Measures which should be taken to hinder the Execution of his Designs.

It is manifest, that the Parliament was in the Right or in the Wrong, according as their Supposition was true or false. Let it be granted for a Moment, that their Supposition was well-grounded, and that the King had really a Design to render himself absolute, should the Parliament, out of pure respect for the antient Laws, leave the King in Possession of a Power which enabled him to alter the Constitution of the Government, and subvert once more these same Laws wherein the Safety of the People wholly consisted? Is it not evident, that in such a Case, it was necessary to infringe these same Laws, in order to establish them more firmly? When therefore the King objected to the Parliament, the Laws which gave the Kings of *England* certain Prerogatives, he manifestly supposed the Government to be in its natural State; but the Parliament supposed the contrary. Consequently the King's Arguments could make no Impression, because they were not applicable to the Case supposed by the Parliament. Unluckily, the King was forced to use against the Parliament the very Reasons the Parliament and People alledged formerly against him, when he usurped an absolute Power. He complained that the Parliament grounded their Right upon a pretended Necessity which was never proved, and himself had formerly made use of a Necessity still more imaginary, to impose arbitra-

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ry Taxes without the Consent of Parliament, contrary to the Laws of the Land.

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But if on the other Hand, we suppose the Parliament's Suspicions to be chimerical, and that the King never gave any room for them, at least, since the beginning of this Parliament, and that his Intention to govern according to Law, was sincere, it is certain his Arguments from the Laws, Customs, Royal Prerogatives, were invincible, because in that Case, there would not have been any the least just Pretense to devest him of his Rights. The whole Question then was reduced to this single Point, whether the King was sincere, and his Word to be relied upon. But unluckily for him, a Fifteen-Years-Experience had convinced the major-Part of his Subjects, that he would have established an arbitrary Government; the Motives of his Condescension in the *Acts* passed this Parliament, were dubious, and Protestations for the Future, uncertain. Thus the Parliament had a great Advantage over him, because they had for Warrant of their Suspicions, the Time past, which was but too certain, whereas the King could only offer the Time to come, which had not the same Certainty.

It was Time to have done with Declarations, Answers, and Replies concerning the *Militia*, since there was nothing new to be said on that Point. Besides, the Parliament were actually causing their Ordinance to be executed in all Places where the People were willing to obey. At last, *May* the 27th, the King issued out a Proclamation to forbid the putting the Ordinance of the Parliament in Execution on Pain to the Offenders of being declared Disturbers of the publick Peace. The Parliament on their Part published a Declaration, forbidding all Persons to obey the King's Proclamation, as being contrary to the Laws. As this might well appear very strange at first, both Houses grounded their Prohibition upon Reasons, of which I shall only relate the Substance, because as they flow from the Principles above-men-

Proclamation against the Ordinance
Rush. IV.
p. 550.

Declaration of both Houses against it.
p. 551.

1642. rioned, it will be easy to understand them. They said then :

“ That the Question is not, whether it belong to
 “ the King or no to restrain the levying of the Mi-
 “ litia ; but if the King shall refuse to discharge that
 “ Duty and Trust, whether there be not a Power in
 “ the two Houses to provide for the Safety of the
 “ Parliament, and Peace of the Kingdom? That
 “ though the Law affirms that Power to be in the
 “ King, yet it does not exclude those in whom the
 “ Law hath placed a Power for that purpose, as in
 “ the Courts of Justice, yet can it not be restrained
 “ by his Majesty’s Command, by his Great-Seal, or
 “ otherwise, much less can the Power of Parlia-
 “ ment be concluded by his Majesty’s Command.

“ That though the King is the Fountain of Justice
 “ and Protection, yet the Acts of Justice and Pro-
 “ tection are not exercised in his own Person, but by
 “ his Courts and his Ministers ; who must do their
 “ Duty therein, though the King in his own Person
 “ should forbid them ; and therefore if Judgments
 “ should be given by them against the King’s Will
 “ and personal Command, yet are they the King’s
 “ Judgment. Thus also, the High-Court of Par-
 “ liament declares the King’s Pleasure in those things
 “ that are requisite thereunto, and what they do
 “ herein hath the Stamp of Royal Authority, al-
 “ though his Majesty do in his own Person oppose
 “ or interrupt the same : For the King’s supreme and
 “ royal Pleasure is exercised and declared in this
 “ High-Court of Law and Council after a more emi-
 “ nent and obligatory Manner, than it can be by any
 “ personal Act or Resolution of his own.

“ That by the Constitution and Policy of this
 “ Kingdom, the King by his Proclamation cannot
 “ declare the Law contrary to the Judgment and Re-
 “ solution of any of the inferior Courts of Justice,
 “ much less against the High-Court of Parliament ;
 “ for if it were admitted that the King by his Procla-

“ mation

“ mation may declare a Law, thereby his Procla-
 “ mations will in effect become Laws, which would
 “ turn to the subverting of the Law of the Land,
 “ and the Rights and Liberties of the Subjects.”

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These are the principal Arguments alledged by the Parliament to show that the King's Proclamation was contrary to the Laws. But there was a very visible Defect in this their Reasoning. They represented the two Houses as the Whole of the Parliament, whereas it is very certain, the Parliament is composed of the King and both Houses joined together and making but one and the same Body. What the Parliament said is therefore strictly true, if we understand the Word *Parliament* in the Sense I just now mentioned, as a Body consisting of the King and the two Houses. Indeed, the King cannot by his sole Will and Pleasure, subvert what has been ordained by the Parliament, because himself making Part, and the noblest Part of the Parliament, he would contradict himself in forbidding a Thing he had already ordained. But if by the Parliament be meant the two Houses alone without the King, it cannot be said that their Declarations are the King's, or that they are more solemn and obligatory than the King's private Will. For if they were, the Constitution of the Government would be entirely overthrown. This is so true, that by retorting the Argument alledged by both Houses against the King, one might demonstrate by the same Reason, that they have Power to make Laws without the Concurrence of the King, which would be full as true, as their saying, that the King's Proclamations would be so many Laws. It is certain then, that by the Arguments they alledged against the King's Proclamation, they furnished invincible Reasons against their own Ordinance. Nevertheless, upon this sort of Sophistry it was that they grounded all the Authority they assumed to themselves afterwards. They did themselves therefore very great Injury, by going upon such weak Arguments. Their Right solely con-

*Defect in
the Reasoning of
the two
Houses.*

1642. sisted in the Supposition that the King would have altered the Constitution of the Government, which they had a lawful Power to oppose by extraordinary Methods, since the Laws of the Land, instead of affording them any effectual Remedies, countenanced rather the King's Designs. The King, on his part, founded his Right upon the contrary Supposition, namely, that there was no Danger from him ; but that the Parliament had undertaken to subvert the Constitution of Church and State. Such was the melancholly Situation *England* was then in.

I have related all together the Business of the *Militia*, which lasted however several Months, that I might not be obliged to break the Thread of the Narration, this Affair being of the utmost Importance, since it was the most immediate Cause of the Civil Wars which quickly ensued : but it was not the only one during that time. Wherefore it will be necessary to go back to the Time when I began my account of the Affair of the *Militia*, to see some others no less material, and whereof some contributed no less to the Rupture.

*Bills for
excluding
the Bishops
and press-
ing of Sol-
diers, pas-
sed.*

The King having passed in the Month of *February* the two *Acts* so earnestly desired by the *Commons*, namely, for the Exclusion of the Bishops, and for Pressing of Soldiers, sent the following Message to both Houses :

*The King's
Message to
both Hou-
ses,
Feb. 14.
1642.
Ru. IV.
p. 553.*

“ That his having passed these two Bills, being of
“ so great Importance, and so earnestly desired by
“ both Houses, will serve to assure his Parliament,
“ that he desires nothing more than the Satisfaction of
“ his Kingdom ; yet that he may further manifest to
“ both Houses how impatient he is, till he find out a
“ full Remedy to compose the present Distempers,
“ he is pleased to signify :

“ That he will by Proclamation require, that all
“ Statutes made concerning Recusants, be with all
“ Care, Diligence and Severity put in Execution.

“ That

“ That his Majesty is resolved that the Seven condemned Priests shall be immediately banished, if his Parliament shall consent thereunto: And give present Order, that a Proclamation issue to require all Romish Priests within Twenty Days to depart the Kingdom; and if any shall be apprehended after that time, his Majesty assures both Houses, on the Word of a King, that he will grant no Pardon to any such, without Consent of his Parliament.

“ And because great and different Troubles are observed to arise, concerning the Government and Liturgy of the Church, his Majesty declares, That he will refer that whole Consideration to his Parliament: But desires not to be pressed to any single Act on his part, till the whole be so digested and settled by both Houses, that his Majesty may clearly see what is fit to be left, as well as what is fit to be taken away.

“ For *Ireland*, he will not refuse to venture his own Person in that War, if his Parliament shall think it convenient, for the Reduction of that Kingdom.

“ That he will most readily concur in any Resolution their Wisdoms shall find out, which may conduce to promote the Trade of the Kingdom.”

The two Houses contented themselves with thanking his Majesty for passing the two Bills, without returning any Answer upon the other Points.

The Queen being mis-informed that there was a Design to accuse her of High-Treason, the Parliament had notice of it, and sent to vindicate themselves from this Aspersion. The Queen answered, it was true there was such a Report, but that she gave little Credit to it.

Some Letters of the Lord *Digby's*, directed to the Queen, to Sir *Lewis Dives* his Brother-in-law, and to Secretary *Nicholas* * being intercepted, the Parliament

* They were all inclosed in a Cover to Secretary *Nicholas*.

The Parliament clear themselves from a Design to accuse the Queen.
Rush. IV. p. 554.
Letters from the Lord Digby intercepted.
Ibid.

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ment caused them to be opened. It was found that the Lord *Digby*, who was then at *Middleburgh* in *Zealand*, advised the King to betake himself to a *Safe Place*, and desired the Queen to send him a *Cypher*, that he might hold a Correspondence with her. There were also in the Letters some sharp Expressions against the Parliament. The two Houses sent Copies of these Letters to their Majesties, assuring them that they were far from reflecting any Thing upon the Queen, only they besought her not to correspond with the Lord *Digby*. Some Days after, it was resolved by the *Commons* that the Lord *Digby* should be accused of High-Treason.

He is accused of High-Treason.

Message to the King concerning the Prince.
Feb. 24.
1641-2.

The King's Answer.
Rush. IV.
p. 556.

February the 24th a Message was sent from both Houses to his Majesty, to acquaint him with the Reasons why they desired that the Prince of *Wales* should reside at *Hampton-Court*. The principal was, that the Prince's Removal might be a Cause to promote Jealousies and Fears in the Minds of his Subjects. For the Parliament lost no Opportunity to let the People see there was occasion to be alarmed. The King answered so as to give them to understand, he did not think himself accountable for his Conduct, with regard to the Prince his Son. He concluded with saying, he could not imagine from what Grounds these Fears and Jealousies proceeded: but if any Information had been given to that purpose, he desired the same might be examined to the Bottom: and then hoped their Fears would be hereafter continued only with reference to his Rights and Honour.

Proposals about Ireland.
Ibid.

About the same time Proposals were made to the Parliament for the speedy raising of Money for the Reduction of *Ireland*. These Proposals were, that to such Persons as should be willing to advance Money for that Service, should be allotted, according to a certain Proportion, the Rebels Lands that should be confiscated, which was approved of by both Houses, and an Act passed accordingly, to which the King gave the Royal Assent. *

The

* It was proposed that Two Millions and a half of those Acres might

The Queen fate out for *Holland* about the End of the Month of *February*.

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The Queen goes to Holland.
The King issues a Proclamation against Papists.
Rulh. IV. p. 559.

March the 16th the King being at *Stamford* in his way to *York*, issued a Proclamation for strictly putting in Execution the Laws against Papists. There was no great occasion for this Proclamation, it serving only to show that hitherto these Laws had been ill executed. But the King had a mind thereby to repel the Imputation of his protecting and countenancing the *Catholicks*, which his Enemies talked so much of among the People, as if this Protection was a Proof of his Design to introduce Popery.

The King, as I said, intended to secure *Hull* with the Magazine there: but his Intent was yet a Secret, and Means were devising to put it in practice. To this end, very probably, he sent a Message to the Parliament, to acquaint them that he had firmly resolved to go into *Ireland* and head the *English* Troops. That therefore he intended to raise forthwith by his Commissions, in the Counties near *West-Chester*, a Guard for his own Person, (when he should come into *Ireland*) consisting of Two Thousand Foot and Two Hundred Horse [to be armed from his Magazine of *Hull*,] the paying whereof he desired them to take upon them. It was easy to foresee that this Proposition would not be accepted in the present Juncture: for it was at the very time that the Business of the *Militia* was most warmly debating. But

The King informs the Parliament of his Design to go into Ireland, and of raising a Guard.
April 8.
Rulh. IV. p. 560.

might be assigned and divided amongst the Adventurers after this Proportion; *Viz.*

	1.	
For each Adventure of	200	1000 Acres in <i>Ulster</i> .
	300	1000 Acres in <i>Conaught</i> .
	450	1000 Acres in <i>Munster</i> .
	600	1000 Acres in <i>Leinster</i> .

All according to the *English* Measure, consisting of Meadow, Arable and Pasture, the Bogs, Woods, and barren Mountains being cast in over and above, to be holden of *Free* and *Common Soccage* of the King, with the constant Rent of 1 *d.* each Acre in *Ulster*, 2 *d.* $\frac{1}{2}$ in *Conaught*, 2 *d.* $\frac{1}{4}$ in *Munster*, 3 *d.* in *Leinster*. Rulh. IV. p. 556.

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Clarend.
II. p. 501.

the King hoped to reap some Advantage either from the Approbation or the Denial. If the Parliament consented to it, the King found he should be able to employ this pretended Guard of Two Thousand Two Hundred Men, to render himself Master of *Hull*. At least, one can scarce help thinking he had such an Intention, considering what passed very shortly after. If his Proposition was rejected, he flattered himself at least that thereby he should convince the People of his sincere Desire to reduce *Ireland*, and dispel the Rumours that were spread Abroad on that Head, which would afford him Opportunity to throw all the Blame on the Parliament. Accordingly this was the only Use he made afterwards of this Offer, which was nothing else but a pure Stratagem, as the Earl of *Clarendon* owns in his History. But whether both Houses considered this Proposition of the King's as a Snare, or as a real and sincere Offer, they thought not fit to consent to it. Indeed, as Things then stood, it was by no means proper to set the King at the Head of an Army in *Ireland*, and still less, that he should raise in *England* a Guard of Two Thousand Two Hundred Men, just when they were labouring with all their Power to take from him the Command of the *Militia*, upon the Foundation of the Jealousies conceived against him. For though hitherto they had been contented to accuse only his Counsellors and a malignant Party of contriving Plots against the State, it was however but an Artifice to accuse him himself. So, as they neither could nor would approve of the King's Proposition, they presented a Petition to him, setting forth :

The two
Houses pe-
tition the
King.
Rush. IV.
p. 361.

“ That having duly considered his Majesty's Mes-
 “ sage concerning his Purpose of going into *Ireland*
 “ to prosecute the War, which he was pleased to
 “ propound to them not as a Matter wherein he de-
 “ fired the Advice of the Parliament, but as already
 “ firmly resolved on, and forthwith to be put in Exe-
 “ cution, by granting out Commissions for the levy-
 “ ing

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“ ing of Two Thousand Foot, and Two Hundred
“ Horse for a Guard for his Person ; they could not
“ but wonder, that a Business of so great Importance,
“ and wherein they had a special Interest, by
“ those great Sums which they had disbursed, and
“ for which they stood engaged, should be concluded
“ and undertaken without their Advice. And
“ therefore they held it their Duty to declare, That
“ his going into *Ireland* would very much endanger
“ the Safety of his Royal Person and Kingdoms, for
“ the following Reasons.

“ 1. Because his Royal Person would be subject
“ not only to the Casualties of War, but to the secret
“ Practices and Conspiracies of the *Papists*.

“ 2. It would exceedingly encourage the Rebels,
“ who did generally profess and declare, That his
“ Majesty countenanced their Proceedings, and that
“ this Insurrection was undertaken by the Warrant
“ of his Commission.

“ 3. It would much increase the Charge of the
“ War, and hinder the Advance of Money for supporting
“ it ; many of the Adventurers, who had already
“ subscribed, upon hearing his Majesty's Intention,
“ declaring their Resolution not to pay in their Money ;
“ and others who were willing to have subscribed,
“ now professing the contrary.

“ 4. His Absence would very much interrupt the
“ good Proceedings of Parliament.

“ 5. It would exceedingly increase, and render
“ more probable the Jealousies and Fears of his People,
“ of some Force intended by evil Counsels near
“ his Majesty, in Opposition of the Parliament.

“ 6. It would bereave the Parliament of that Advantage,
“ whereby they were induced to undertake that War,
“ upon his Majesty's Promise that it should be managed
“ by their Advice ; which could not be done, if his
“ Majesty, contrary to their Counsels, should undertake
“ to order and govern it in his own Person.

“ Upon

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“ Upon which Reasons both Houses declared,
 “ That they could not consent to any Levies of Sol-
 “ diers to be made by his Majesty for his intended
 “ Expedition into *Ireland*, or to the Payment of any
 “ Army or Soldiers there, but such as should be em-
 “ ployed and governed according to their Advice
 “ and Direction: That if any such Levies should be
 “ made by any Commission of his Majesty, (not
 “ agreed to by both Houses of Parliament) they
 “ should be forced to interpret the same to be raised
 “ to the Terror of the People, and Disturbance of
 “ the publick Peace, and hold themselves bound by
 “ the Laws of the Kingdom, to apply the Autho-
 “ rity of Parliament to suppress the same. And they
 “ farther declared, That if his Majesty should by ill
 “ Counsel be persuaded to go contrary to this Ad-
 “ vice of his Parliament, they should not in that
 “ case hold themselves bound to submit to any Com-
 “ missioners which his Majesty should chuse; but
 “ did resolve to preserve and govern the Kingdom
 “ by the Counsel and Advice of Parliament, for his
 “ Majesty and his Posterity, according to their Alle-
 “ giance and the Laws of the Land.”

Rush. IV.
 p. 561.

The King returned a long Answer to this Petition, and confuted all the Parliament's Reasons, which in truth were very weak, considered in themselves. But if we take notice that it was but six Days since the King had resolved to secure *Hull*, when the Parliament presented their Petition to him, we shall not think it strange that they rejected the King's Offer. Wherefore they lost no time in replying to the King, and the Affair rested here, without any farther mention of his Majesty's pretended Expedition into *Ireland*. Only he made this Advantage of it, that he could say he had offered to go in Person and endeavour the Reduction of *Ireland*, but that his Offer was rejected.

Hitherto.

Hitherto we have seen how the Breach between the King and Parliament grew every Day wider. The Distrust was so great on both Sides, that it was hardly possible they should come to an Agreement. The King could not doubt that there was a Design to strip him of great Part of his Authority; and the Parliament, plainly perceiving the King was not ignorant of their Intent, could scarce question but he would privately take all possible Measures to prevent the Execution thereof. This was not all. The Parliament had also reason to fear, that the King would not only stand upon the Defence, but under colour of that, would moreover put himself in Condition to attack. Before the Accusation of the Members of Parliament, whilst the Resolution of depriving the King of his Power was not fully taken, and many Members were yet wavering, it would not perhaps have been impossible to find Expedients for a Peace. But by this fatal Accusation, and his coming to the House of *Commons*, the King gave such a Handle to his Enemies, who knew too well how to make the most of it, that it was no longer practicable for him to recover the Confidence of those who till then had preserved some Good-will towards him. Before this, the Design of stripping the King of his Authority was a Secret among some of the Leaders of the Party who were labouring to bring it about by Degrees, without daring to be too open; so that it was not easy to know perfectly they had really such a Design. But it was not so easy to deceive the King, who was the principal Party concerned. He saw, that his Authority was undermining by little and little, and readily perceived where this *Mine* would end at last, were it suffered to go on. In this Perplexity he found it incumbent upon him to take Precautions, in order to oppose his Enemies: But on the other Hand, he was sensible he should make his Cause bad, if he should fall upon the Parliament themselves, who were managed by these able Leaders, and so set the whole Nation against him. This Consideration, very likely put

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*Extreme
Distrust
betwixt
the King
and Par-
liament.*

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put him upon resolving to attack in particular the Lord *Kimbolton*, with Five *Commoners* of the greatest Credit, imagining they would be sent to the *Tower* upon his Accusation, and then the Parliament, as being no more directed by these Men, would be better inclined in his Favour. He was not only out in his Conjecture, but did himself an irretrievable Injury, in that the Precaution he would have taken to screen himself from the secret Practices of some private Persons, was accounted a settled Design upon the whole Parliament. Thereby he confirmed the Suspicions which were infusing into the People, that he was seeking to render himself absolute, as he had formerly been; and from thence it naturally followed, that therefore it was necessary to put it out of his Power to execute this Design.

Then it was that this Resolution, taken first by some Few, was approved of by the Majority, who were now labouring to execute it effectually, by beginning with the important Affair of the *Militia*. For when the King was stript of the Power to command the *Militia*, and this Power lodged in the Hands of Persons devoted to the Parliament, he was quite disabled to stir. The King's Condition growing much worse, it was no hard Matter to perceive that, as his Enemies went to work, there was no middle Way for him, between becoming a Slave, or rendering himself Master. He was unwilling to be Slave, and it was no easy Task to become Master, as his Affairs then stood, and especially, having to do with very able and watchful Enemies. Believing, very probably, he should never be able to extricate himself out of the Danger he was in but by a War, he resolved to send the Queen into *Holland* to buy up Arms and Ammunition, to retire to *York* himself, and to try to secure *Hull*, though he coloured his Designs with other Pretences. He saw that the Parliament reckoned among the pretended Malignants, not only such as openly appeared for the King, but also those who were for preserving any Moderation, and that many suffered themselves

themselves to be drawn into the same Plot, out of mere Fear, and because they could not be sure of Protection, in case they declared against the two Houses. He thought therefore he should chiefly endeavour to put himself in a State of being able to protect those who dared to espouse his Cause openly. But moreover, as the Parliament never ceased to infuse Suspensions into the People, it was absolutely necessary for the King to do his utmost to efface these Impressions so prejudicial to him. Hence, in all the Papers published by him in the Business of the *Militia*, those so frequent Expressions of his Affection for his People, and his Attachment for the Laws. His Aim was to let the Nation see that the Parliament acted directly contrary to the Law, in usurping an Authority which was not proper to them. As it was by the very same Thing that the King had given occasion to the People to be prejudiced against him, he was in hopes the Usurpations of the Parliament would produce the same Effect. But in this he was much mistaken. The People were persuaded that the King without any Provocation, had invaded the Privileges of the Subject, during the fifteen first Years of his Reign, whereas if the Parliament had in any manner incroached upon the Rights of the King, it was purely in Maintenance of the Nation's Liberties, and to put the Laws again in force.

Though it was hard to prove by undoubted Evidence, that the King had formed the Project of seizing at once, the *Tower of London*, *Portsmouth*, and *Hull*, there were however so great Signs of it, that it would have been very imprudent in the Parliament not to think of securing those Places in the present Posture of Affairs. Sir *John Byron* Lieutenant of the *Tower*, was a Man devoted to the King. The Earl of *Newcastle* * had been sent to *Hull*, under a borrowed Name *¹, and Information was given that he

* *Charles Cavendish* created 1 Car. i.

*¹ He called himself *Sir John Savage*.

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he would have perswaded the Mayor, to deliver up that Place to him. As for *Portsmouth*, the Journey the Queen was to take thither on some Pretense, and the Meeting of the Officers at *Kingston* were more than enough to beget strong Suspicions on this Account. In short, the Lord *Clarendon* frankly owns the King's Designs upon *Portsmouth* and *Hull*, though he says nothing of the *Tower*. Had his Designs succeeded, the King would have been Master of the three principal Forts of the Kingdom, with the Magazines of the *Tower* and *Hull*, and thereby in Condition to bring the Parliament under. These Projects failing, as I said, the King endeavoured the best he could to stifle them, and make them pass for idle Fancies. But the two Houses had a quite different Notion of them. And therefore the *Commons* never rested till the Lieutenancy of the *Tower* was given to one they could confide in, and *Hotham* sent to *Hull*. As for *Portsmouth*, the Parliament having no mistrust of *Goring* the Governour, because he was the Person that had discovered the Conspiracy to seduce the Army, were contented with sending him sufficient Orders, as they thought, for the Preservation of the Place. From that time there was no mention of *Portsmouth*, for the King found Means to gain Colonel *Goring*, who promised to declare for him at a proper Time, as he did accordingly.

The King's ill Success in these his secret Undertakings, hindered him not from persisting in his Design to free himself by Force, from the Slavery it was intended to reduce him to, plainly seeing it would be impossible for him to succeed any other way. To this End, no doubt he sent the Queen to *Holland*, and having but little Money to give her, put into her Hands the Crown-Jewels, which were used in buying up Arms and Ammunition. If the Queen's Voyage had been only to conduct the Princess *Mary* to the Prince her Spouse, and to drink the Waters of the *Spa*, there would have been no Occasion to give her wherewithal to buy Arms and Ammunition. It is therefore

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therefore very probable that from this Time the King had Thoughts of War, whether it were Offensive or Defensive only. But his Attempt upon *Hull*, where was a Magazine of Arms for sixteen Thousand Men, was still a plainer Proof. The King himself had caused these Arms to be brought to *Hull*, when he had determined to go to War with *Scotland*.

When the Parliament sent Sir *John Hotbarn* down to *Hull*, the King complained not of it, whether he was apprehensive of being taxed with having attempted to secure that Place, or in order to amuse the Parliament, and hinder them from taking any farther Care. Mean while, both Houses seeing the King was removed at a Distance from *London*, and fearing for *Hull*, on account of the Magazine there, besought his Majesty by a Petition, to order the Magazine to be removed to the *Tower* of *London*. The King answered, he rather expected that both Houses would have given him an account, why a Governour and Garrison had been placed in *Hull* without his Knowledge, than to be moved to consent for the removal to the *Tower* of a Magazine (which were his own proper Goods) upon such general Reasons as gave no Satisfaction to his Judgment: That in short, he would not agree to the removing of these Arms, till he knew for what Service they were intended: And if any Attempt should be made in this Matter without his Approbation, he should esteem it as the greatest Violation of his Right. A little after, some Gentlemen of the County of *York* petitioned the King that the Magazine might not be removed, by reason they conceived the Kingdom, and particularly the *North*, to be in danger. This Petition was probably begged, since Matters were not yet come to that pass, that private Persons should dare to present an Address to the King, directly contrary to that of the Parliament, had they not been incouraged thereto. It is certain, the King intended to seize *Hull*, with the Magazine. He was desirous to have a Place which would enable him to protect his Friends,

The King's Design upon Hull.
Rush. IV. p. 565.

Both Houses petition the King to remove the Magazine at Hull, to the Tower.
The King's Answer.

Petition of some of the Gentry against removing the Magazine.
Ibid.

1642. Friends, and he depended upon this Magazine, to arm them in due Time. On this account it was that he refused to remove the Arms to the *Tower*, though he alledged other Reasons. The Parliament on their Part, pleaded for the Removal, with Arguments that were not the true ones. At last, finding the King would not consent to it, they ordered the best Part of the Magazine to be brought to the *Tower* without asking again his Approbation.

Part of the Magazine removed to the Tower by the Parliament.

The King and Parliament did each their utmost to make the People believe that in all their Proceedings, they had no other Motive than the Good and Advantage of the Kingdom. From these Protestations it is, that the Historians take their strongest Arguments to demonstrate the Innocence and Sincerity of the Party whose Cause they have espoused. But the unbyassed Reader must peruse the *Manifestoes*, and all the *Papers* of that kind with great Caution, for fear of being drawn into Error. It is certain the King had a Design to become Master of *Hull*, that he might not be at the Parliament's Mercy. But it is not so certain that herein his View was only to maintain the Constitution of the Government, to the end the Laws might be punctually executed. On the other Hand, the Parliament had sent *Hotbam* to *Hull*, to hinder the King from seizing the Town. But who can affirm, that their real Aim was to prevent the malignant Party from making use of it to establish an arbitrary Power, and reduce the Kingdom to Servitude!

The King comes before Hull. Rush. IV. p. 567.

The King's Design broke out the 23d of *April*, when the Business of the *Militia* was debating with great Heat on both Sides. The Day before, he had sent to *Hull*, the Duke of *York* his second Son, with the young Elector *Palatine* his Nephew, under Colour of seeing the Place, and very likely these two Princes had a pretty numerous Retinue. *Hotbam* and the Mayor received them with all the Respect due to their Rank. The Princes were entertained the first Day by the Mayor, and invited to dine with the

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the Governour on the Morrow being *St. George's-Day*. But the Entertainment was disturbed by an Officer [*Sir Lewis Dives*] who came a little before Dinner, and told the Governour that his Majesty intended to dine with him, being then within four Miles of the Town, with a Train of three Hundred Horse. *Hotham*, startled at the Message, consulted with some of his Friends, and it was resolved among them, that a Messenger should be dispatched to the King, humbly to beseech him to forbear to come, forasmuch as he could not without betraying the Trust committed to him, set open the Gates to so great a Guard as he came attended withal. The Messenger returning with a doubtful Answer, and certifying of the King's Advance to the Town, *Hotham* drew up the Bridges, shut the Gates, and commanded the Soldiers to stand to their Arms round the Walls. The King being come to *Beverly-Gate*, called for the Governour, who appearing on the Walls, he commanded him to open the Gate. The Governour answered, "He was intrusted by the Parliament for the securing of the Town, for his Majesty's Honour and the Kingdom's Use, which he intended by God's Help to do; proffering however, that if his Majesty would be pleased to come in with twelve more, he should be welcome, otherwise he could not without betraying his Trust to the State, admit Entrance to so great a Guard *." But the King refusing to enter on these Terms, repeated several times his Command to open the Gate, and still received the same Answer. Some time after, the Duke of *York*, and the Prince *Elektor* went out of the Town and came to the King, who was pleased to give the Go-

* This is *Rushworth's* Account; but the Lord *Clarendon* and *Whitlock* say nothing of this Offer of *Hothams*, but only that he should say, *he would not admit him though with twenty Horse only*. Indeed it does not seem likely that the King would have stood for eight Horse, since he offered to come in but with Twenty. *Clarend. II. p. 107. Whit p. 55.*

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*Reflection
on this
Event.*

When it is considered that the King had formed a Design to secure *Hull*, from the time he resolved to withdraw to *York*, as the Lord *Clarendon* expressly owns, one would imagine that at least he had contrived proper Means to accomplish this Undertaking, the Success whereof was of so great Moment. But one cannot tell what to think, when this same Attempt is seen to be so ill managed, that it was neither plausible nor likely. The King was not ignorant that *Hotbam* was Member of the House of *Commons*, that this House had pitched upon him for the Government of *Hull*, as upon one they could confide in : That *Hotbam* knew very well, it was against the King that he was to keep the Place, however his Commission might be worded. And yet he imagines, that his Presence alone will frighten the Man, and that he will not dare to deny him Entrance with three Hundred *Horse*, besides the Train of the two Princes already admitted. That he will suffer himself to be stript of his Government upon the bare scruple of disobeying his King, he who probably was chosen by the House of *Commons* as one of the least scrupulous. I own I cannot understand how the King could be advised to declare so openly in attempting thus to
seize

* Twenty, says *Clarendon* and *Whistlocks*

seize *Hull*, and indeed from this Time, all mutual Confidence was entirely thrown aside. It signified nothing to colour this Step, with saying he had no other Design than to visit the Place, and examine the Magazine, in order to know what might be taken for the Service of *Ireland*, and to arm the *Scots*, who were to serve in that Country. This was not capable of deceiving the Parliament, who saw but too plainly what the King's Design was, and of what Consequence it would have been, had it taken Effect, there were no fewer Papers, Messages, Answers, Replies, about this Affair, than about the Business of the *Militia*.

The King was vexed to the Heart to be thus disappointed of his Aim, and seeing no other way to palliate his Proceedings, he resolved to deny flatly that he had intended to become Master of *Hull*. By this Supposition, he would have Sir *John Hotbam's* Action considered as a manifest Treason, and demanded an authentick Reparation of the Parliament. He cited the Laws and Statutes which placed in the King the Care of defending the Realm, and the Command of the Forts and Magazines. But he always supposed the Kingdom to be in a State of Tranquillity, as it was deemed to be when these Laws were made, which was by no means the present Case. He pretended that the Forts and Magazines, were his own proper Goods, and particularly that of *Hull*, being purchased with his own Money, could not be withheld from him, without bringing him into a worse Condition than that of the meanest of his Subjects.

But the Parliament did not grant these Suppositions. They maintained, that the Forts and Magazines were committed to the King as a Trust to be employed for the Preservation, and not for the Destruction of the People, and that the King's Pretension to the Property of the Forts and Magazines was groundless. It is no wonder that upon such diffe-

The King demands Justice upon Hotbam.
April 24.
Rush IV.
p. 567.

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rent Principles the *Papers* should abound on both Sides, without producing any great Effects. The King however had one Advantage, that the Parliament could not evidently prove what they advanced against him, and that in the main, the Authority assumed by both Houses was founded only in bare Suspicions of the King's ill Designs, which would have rendered it plausible, had they been averred. But they did not think themselves bound to wait for demonstrative Proofs, in order to be assured of the King's secret Intentions. It was sufficient for them to have Reasons to suspect him, which to them appeared strong enough to oblige them to take Precautions which might come too late, in case they stayed for more convincing Proofs.

This is the Substance of all the *Papers* published on both Sides, about the Business of *Hull*. As I have already inserted a good many concerning the Affair of the *Militia*, I think I ought to save the Reader the Pains of perusing those that were published on the present Subject, they all running upon the same Principles and Suppositions so often mentioned.

The King
tries to
seize Hull
by Intelli-
gence.
May.
Rush. IV.
p. 600.

The Parliament openly supported Sir *John Hothams*; so that after abundance of Messages, Declarations, Answers and Replies, the King had no way left to become Master of *Hull*, but by Surprise or Force. The last of these ways was not very practicable, because he could depend but upon a small Number of Troops, and had no Artillery, Arms or Ammunition. It is true, he expected some from *Holland*, but the Time was very uncertain. And therefore he attempted to take *Hull* by Intelligence. In the Execution of this Design, he made use of Mr. *Beckwith* a Gentleman of *Beverly*, who had a Son-in-law an Officer in *Hull*. But this Officer discovered the Plot to the Governour, who was so civil as to send the King word, he might save himself the Trouble of carrying on the Contrivance, and at the same

same Time gave the Parliament notice of it. *Beckwith* retiring to the King at *York*, the Parliament dispatched thither a Messenger to seize and bring him to *London*: But the Messenger was not permitted to execute his Orders.

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From that Time, the King and the Parliament prepared for War, it being very easy to foresee it would come to that in the End. But as each stood in need of the People to bear the Charge, so each used their utmost to gain them to their Side, by letting them see the Injustice of the contrary Party, and by striving to make them sensible that all was for their sake. The Parliament pretended that the Malignants, by whom the King suffered himself to be guided, had formed a Design to enslave the Nation, wherein they could not succeed, but by inflaming the Misunderstanding between the King and the Parliament, in order to engage them in a Civil War, which they hoped would end well for the King. This was the Parliament's Supposition, from whence they drew this Conclusion, that therefore it was necessary to prevent by good Measures the Execution of this Design, and to put themselves in a Posture of Defence, in Case the King continued to be thus guided by the malignant Party.

The King and Parliament prepare for War, and strive to gain the People.

The King on his Side pretended that the Parliament, in feigning to have only in view the Good of the Kingdom, meant in reality to alter the Constitution of the Church and State: That they designed to abolish the Regal Power, or to render the King but the Shadow of a Sovereign, whilst both Houses would be truly in Possession of the Government. He inferred from this Supposition, that he would sooner be exposed to the greatest Hazards, than receive Law from his Subjects; his Conscience and the Care of the Realm, which God had intrusted him with, not permitting him to suffer such Alterations as were designed in Church and State. What secret Motives soever both might have, the Reasons they alledged were very plausible, and those who sought only Jus-

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tice, were at no small loss which Side to espouse. But the Parliament seemed to have a great Advantage upon the King, in that their Party was much more numerous, and the Forts and *Militia* in their Hands, with plenty of Arms and Ammunition, whilst the King was wholly unprovided. Nevertheless, the King was not without his Hopes. He had privately gained Colonel *Goring* Governour of *Portsmouth*, as I have said. The Queen was actually busy in *Holland* in providing Artillery, Arms, Ammunition, and getting several Officers of the *English* Troops then in the *Dutch* Service. The greatest Part of the *Yorkshire* Gentlemen, the largest County in *England*, were for him, and he did not question but by their Means he should engage the whole County to declare in his Favour. With this Assistance, he hoped to prevent the Parliament, and have on foot a sufficient Number of Forces to take *Hull*, before the Parliament should be in a readiness to oppose it. He further expected that when he should be Master of *Hull* and *Portsmouth*, and had received Arms from *Holland*, abundance of People, who were still kept back by the Fear of wanting Protection, would openly take his Part. Besides this, he gave private notice to all his Friends, that it was Time to repair to *York*, and ordered Letters to be sent in his Name to such Members as adhered to him, to absent themselves from the Parliament, and retire to *York*, or to other Places where they might be of Service to him.

*The King
summons
all the
Gentry of
Yorkshire.*

All these Measures could not be taken so privately but the Parliament had Information of some of them; and therefore the King endeavoured to give some Colour to them, in order to hinder his Designs from being dived into. After missing his Aim at *Hull*, he summoned all those of the County of *York*, who were *Tenants in Chief*, to appear at *York* the 12th of *May*.

Shortly

Shortly after, both Houses sent a Committee * to *York*, under Pretense of bringing the King a Message about *Hull* and the *Militia*, but in reality, to be Spies upon his Actions. This Message was so much the more disagreeable to him, as after having returned an Answer, and dismissed the Committee, they told him they had Orders to stay at *York*. Though it was easy for him to see with what View the Parliament had sent this Committee, he thought not proper to drive them from the City by violent Means.

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A Committee is sent to *York*, who stay there in spite of the King.
Rush. IV. p. 615.

The 12th of *May*, the Gentry of the County being come to *York*, his Majesty made a Speech to them, wherein he protested, "That the enjoying of "Quiet was the chief Cause of his coming among "them in the *North*, and not to make that part of "the Kingdom a Seat of War, as Malice would "make them believe. He added, that both Houses "of Parliament did, by their Messengers, brave "him even in *York*; and that as his Magazine of "*Hull* was going, directly against his Will, to be "taken from him; and the *Militia* to be put in Execution against Law and his Consent; and lastly, "as Sir *John Hotham's* Treason was countenanced, "none could blame him for apprehending Danger. Therefore he was resolved to have a "Guard, in which he desired their Concurrence and "Assistance."

The King's Proposal to the Gentry of *Yorkshire*.
Rush. IV. p. 615.

The *Yorkshire* Gentry being variously disposed, it was not possible for them that heard the King's Speech, to agree in the same Answer. Nay, it is said that the Court used some Violence to shut out from the Debate such as were known to be opposite to the King, and that these were forced to go and assemble elsewhere. For this Reason the King received four different Answers to his Proposition, two whereof were satisfactory, and the other two be-

He receives four different Answers.

* *Ferdinando Lord Fairfax*, Sir *Hugh Cholmley*, Sir *Philip Stapleton*, and Sir *Henry Cholmley*. Rush. IV. p. 615.

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sought him to hearken to the Advice of his Parliament. The Guard however was raised, and the Command thereof given to the Prince of *Wales*.

The Parliament hinders the King from removing the Courts of Justice to York. He sends for Skippon, and the Parliament will not let him go. May 17.

The King would have also removed the Courts of Justice from *Westminster* to *York*, and even sent a Proclamation to the Lord-Keeper *Littleton* for that Purpose, with Orders to publish it. But the Parliament having notice of it, forbid him to put the Orders in Execution.

Serjeant Major-General *Skippon* being a very good Officer, and the King knowing the Parliament designed to employ him, sent for him to attend him at *York*. But the Parliament gave him Orders to the contrary, which *Skippon* obeyed. This doubtless the King plainly foresaw, but he was very glad to show that the Parliament desired a War, since they contradicted his Orders with so much Haughtiness.

As Matters stood between the King and the Parliament, a War seemed unavoidable, and in all likelihood, it was already determined on both Sides. The only Thing now was to dazzle the Publick with good or bad Reasons, and to try to cast the blame on the opposite Party. Mean while, the King's two Answers of *March* the 9th, and the 20th, not being replied to, the Parliament was apprehensive that their Silence would produce an ill Effect in the Minds of the People. Wherefore they took occasion, when they answered these two Messages, to publish a *Manifesto*, under the Name of *Remonstrance* or *Declaration*, the 19th of *May*. As this *Manifesto*, and the King's Answer are very proper to inform the Reader of the Reasons of both Parties, or at least of those they alleged to support their Cause, and vindicate their Conduct, I think it necessary to insert here these two *Papers*, for fear the abridging them may be an Injury to either.

*The DECLARATION or REMONSTRANCE
of the Lords and Commons in Parlia-
ment assembled, May 19th, 1642.*

‘ **T** H E infinite Mercy and Providence of the Rush. IV.
P. 691.
‘ Almighty God hath been abundantly mani-
‘ fested since the beginning of this Parliament, in
‘ great Variety of Protections and Blessings, whereby
‘ he hath not only delivered us from many wicked
‘ Plots and Designs, which if they had taken effect,
‘ would have brought Ruin and Destruction upon
‘ this Kingdom ; but out of those Attempts hath
‘ produced divers evident and remarkable Advanta-
‘ ges to the furtherance of those Services, which we
‘ have been desirous to perform to our Sovereign
‘ Lord the King, and to his Church and State, in
‘ providing for the publick Peace and Prosperity of
‘ his Majesty, and all his Realms, which in the pre-
‘ sence of the same all-seeing Deity, we protest to
‘ have been, and still to be the only End of all our
‘ Councils and Endeavours, wherein we have resolved
‘ to continue freed, and enlarged from all pri-
‘ vate Aims, personal Respects or Passions whatso-
‘ ever (1).

‘ In which Resolution we are nothing discouraged,
‘ although the Heads of the malignant Party disap-
‘ pointed of their Prey, the Religion and Liberty of
‘ this Kingdom, which they were ready to seize upon

REMARK (1). *It may be presumed that there were
in both Houses, many Members who acted with Sincerity,
and who believed they really served the Publick in all
they did against the King. But it is hard to conceive
how both Houses, consisting of so many Members who were
ignorant of one another's inward Sentiments, could call
God to Witness, that they acted only from just Motives,
free from Passion and private Views.*

‘ and

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‘ and devour before the Beginning of this Parliament,
 ‘ have still persisted by new Practices, both of Force
 ‘ and Subtilty, to recover the same again; for which
 ‘ purpose they have made several Attempts for the
 ‘ bringing up the Army; they afterwards projected
 ‘ the false Accusation of the Lord *Kimbolton* and the
 ‘ Five Members of the House of Commons, which
 ‘ being in itself of an odious Nature, they yet so far
 ‘ prevailed with his Majesty, as to procure him to
 ‘ take it upon himself; but when the unchangeable
 ‘ Duty and Faithfulness of the Parliament could not
 ‘ be wrought upon by such a Fact as that, to with-
 ‘ draw any part of their Reverence and Obedience
 ‘ from his Majesty, they have with much Art and
 ‘ Industry, advised his Majesty to suffer divers unjust
 ‘ Scandals and Imputations upon the Parliament, to
 ‘ be published in his Name, whereby they might
 ‘ make it odious to the People, and by their Help
 ‘ to destroy that which hitherto hath been the only
 ‘ Means of their own Preservation.

‘ For this purpose they have drawn his Majesty
 ‘ into the northern Parts far from the Parliament,
 ‘ that so false Rumours might have time to get Cre-
 ‘ dit, and the just Defences of the Parliament find a
 ‘ more tedious, difficult, and disadvantageous Access
 ‘ after those false Imputations and Slanders had been
 ‘ first rooted in the Apprehension of his Majesty, and
 ‘ his Subjects, which the more speedily to effect, they
 ‘ have caused a Press to be transported to *York*, from
 ‘ whence several Papers and Writings of that kind
 ‘ are conveyed to all Parts of the Kingdom, without
 ‘ the Authority of the Great-Seal, in an unusual and il-
 ‘ legal Manner, and without the Advice of his Majesty’s
 ‘ Privy-Council; from the greater and better Part
 ‘ whereof having withdrawn himself, as well as from his
 ‘ great Council of Parliament, he is thereby exposed
 ‘ to the wicked and unfaithful Counsels of such as
 ‘ have made the Wisdom and Justice of the Parliament
 ‘ dangerous to themselves, and this Danger they la-
 ‘ bour to prevent by hiding their own Fears, and as
 ‘ much

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‘ much as in them lies, aspersing his Royal Person and
‘ Honour with their own Infamy, from both which
‘ it hath always been as much the Care, as it is the
‘ Duty of the Parliament to preserve his Majesty,
‘ and fix the Guilt of all evil Actions and Counsels,
‘ upon those who have been the Authors of them.

‘ Amongst divers Writings of this kind, we the
‘ Lords and Commons in Parliament, have taken in-
‘ to our Consideration two printed Papers; the first
‘ containing a Declaration which they received from
‘ his Majesty, in answer of that which was presented
‘ to his Majesty from both Houses of Parliament at
‘ *Newmarket*, the 9th of *March* 1641. The other
‘ his Majesty’s Answer to the Petition of both Houses,
‘ presented to his Majesty at *York* the 26th of *March*
‘ 1642, both which are filled with harsh Censures,
‘ and causeless Charges upon the Parliament; con-
‘ cerning which we hold it necessary to give Satisfac-
‘ tion to the Kingdom, seeing we find it difficult to
‘ satisfy his Majesty, whom, to our great Grief, we
‘ have found to be so engaged to, and possessed by
‘ those Misapprehensions which evil Counsellors have
‘ wrought in him, that our most humble and faithful
‘ Remonstrances have rather irritated and imbittered,
‘ than any thing allayed or mitigated the sharp Ex-
‘ pressions which his Majesty has been pleased to make
‘ in Answer to them; for the Manifestation whereof,
‘ and of our own Innocency, we desire that all his
‘ Majesty’s loving Subjects may take notice of these
‘ Particulars.

‘ We know no Occasion given by us, which might
‘ move his Majesty to tell us, That in our Declarati-
‘ on presented at *Newmarket*, there were some Expres-
‘ sions different from the usual Language to Princes.

‘ Neither did we tell his Majesty, either in Words
‘ or in Effect, That if he did not join with us in an
‘ *Act* which his Majesty conceived might prove pre-
‘ judicial and dangerous to himself and the whole King-
‘ dom, we would make a Law without him, and im-
‘ pose it upon the People. That which we desired was,

‘ That

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‘ That in regard of the imminent Danger of the Kingdom, the Militia, for the Security of his Majesty and his People, might be put under the Command of such noble and faithful Persons, as they had all cause to confide in: And such was the Necessity of this Preservation, that we declare, That if his Majesty should refuse to join with us therein, the two Houses of Parliament being the supreme Court and highest Council of the Kingdom, were enabled, by their own Authority, to provide for the repulsing of such imminent and evident Danger, not by any new Law of their own making, as hath been untruly suggested to his Majesty, but by the most antient Law of this Kingdom, even that which is fundamental and essential to the Constitution and Subsistence of it.

‘ Although we never desired to encourage his Majesty to such Replies as might produce any Contestation betwixt him and his Parliament, of which we never found better Effect than the Loss of Time, and Hindrance of the publick Affairs; yet we have been far from telling him of how little value his Words would be with us, much less when they are accompanied with Actions of Love and Justice. His Majesty hath more reason to find fault with those wicked Counsellors, who have so often bereaved him of the Honour, and his People of the Fruit of so many gracious Speeches which he made to them, such as those in the End of the last Parliament; *That in the Word of a King, and as he was a Gentleman, he would redress the Grievances of his People, as well out of Parliament as in it*: Were the Searching the Studies and Chambers, yea, the Pockets of some, both of the Nobility and Commons the very next Day; the Commitment of Mr. Bellasis, Sir John Hotbam, and Mr. Crew; the continued Oppressions by *Ship-Money*, *Coat and Conduet-Money*; with the manifold Imprisonments, and other Vexations thereupon, and other ensuing Violations of the Laws and Liberties of the Kingdom,

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dom, (all which were the Effects of evil Counsel,
and abundantly declared in our general Remon-
strance of the State of the Kingdom) Actions of
Love and Justice, suitable to such Words as these?

As gracious was his Majesty's Speech in the be-
ginning of this Parliament; *That he was resolved to
put himself freely upon the Love and Affection of his
English Subjects.* Whether his causeless Complaints
and Jealousy, the unjust Imputations so often cast
upon his Parliament, his Denial of their necessary
Defence by the Ordinance of the Militia, his dan-
gerous absenting himself from their great Council,
like to produce such mischievous Division in the
Kingdom, have not been more suitable to other
Mens evil Counsels, than to his own Words, will
easily appear to any indifferent Judgment.

Neither have his latter Speeches been better used
and preserved by these evil and wicked Counsellors;
Could any Words be fuller of Love and Justice
than those in his Answer to the Message sent the
House of Commons the One and Thirtieth of De-
cember 1641? *We do engage unto you solemnly on the
Word of a King, that the Security of all, and every
one of you from Violence, is and ever shall be as much
our Care, as the Preservation of us and our Children.*
And could any Actions be fuller of Injustice and
Violence than that of the Attorney-General, in
falsly accusing the Six Members of Parliament, and
the other Proceedings thereupon, within Three or
Four Days after the Message? For the full View
whereof, let the Declaration made of those Pro-
ceedings be perused; and by those Instances (we
could add many more) let all the World judge who
deserves to be taxed with disvaluing his Majesty's
Words, they who have as much as in them lies
stained and sullied them with such foul Counsels;
or the Parliament, who have ever manifested with
Joy and Delight their humble Thankfulness for
those gracious Words and Actions of Love and
Justice which have been conformable thereunto.

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‘ The King is pleased to disavow the having any
 ‘ such evil Council or Counsellors as are mentioned
 ‘ in our Declaration to his Knowledge ; and we hold
 ‘ it our Duty humbly to avow there are such, or else
 ‘ we must say, that all the ill Things done of late in
 ‘ his Majesty’s Name, have been done by himself,
 ‘ wherein we should follow neither the Direction of
 ‘ the Law, nor the Affection of our own Hearts,
 ‘ which is as much as may be, to clear his Majesty
 ‘ from all Imputation of Misgovernment, and to lay
 ‘ the Fault upon his Ministers ; the false accusing of
 ‘ Six Members of Parliament ; the justifying of
 ‘ Master Attorney in that false Accusation ; the vio-
 ‘ lent coming to the House of Commons ; the de-
 ‘ nyal of the Militia ; the sharp Messages to both
 ‘ Houses, contrary to the Customs of Kings ; the
 ‘ long and remote Absence of his Majesty from Par-
 ‘ liament ; the heavy and wrongful Taxes upon both
 ‘ Houses ; the cherishing and countenancing a dis-
 ‘ contented Party in the Kingdom against them :
 ‘ These certainly are the Fruits of very ill Counsel,
 ‘ apt to put the Kingdom into a Combustion, to
 ‘ hinder the Supplies of *Ireland*, and to countenance
 ‘ the Proceedings and Pretensions of the Rebels
 ‘ there ; and the Authors of those evil Counsels, we
 ‘ conceive, must needs be known to his Majesty. And
 ‘ we hope our labouring with his Majesty to have
 ‘ these discovered and brought to a just Censure, will
 ‘ not so much wound his Honour in the Opinion of
 ‘ his good Subjects, as his labouring to preserve and
 ‘ conceal them.

‘ And whereas his Majesty saith, He could wish
 ‘ that his own immediate Actions, which he avows
 ‘ on his own Honour, might not be so roughly cen-
 ‘ sured under that common Stile of evil Counsellors :
 ‘ We could also heartily wish, That we had not
 ‘ cause to make that Stile so common, but how often
 ‘ and undutiful soever these wicked Counsellors fix
 ‘ their Dishonour upon the King, by making his
 ‘ Majesty the Author of those Actions, which are
 ‘ the

‘ the Effects of their own evil Counsels : We his
‘ Majesty’s loyal and dutiful Subjects can use no o-
‘ ther Stile, according to that Maxim in the Law,
‘ *The King can do no wrong* ; but if any ill be com-
‘ mitted in Matter of State, the Council ; if in Mat-
‘ ter of Justice, the Judges must answer for it.

‘ We lay no Charge upon his Majesty, which should
‘ put him upon the Apology, concerning his faith-
‘ ful and zealous Affection of the Protestant Pro-
‘ fession : Neither doth his Majesty endeavour to clear
‘ those in great Authority about him, by whom (we
‘ say) that Design hath been potently carried on
‘ for divers Years ; and we rather wish that the Mer-
‘ cies of Heaven than the Judgments may be mani-
‘ fested upon them ; but that there have been such,
‘ there are so plentiful and frequent Evidences, that
‘ we believe there is none, either Protestant or Pa-
‘ pish, who hath had any reasonable View of the Pas-
‘ sages of latter Times, but either in Fear or Hope,
‘ did expect a sudden Issue of this Design.

‘ We have no way transgressed against the Act of
‘ Oblivion, by remembring the intended War a-
‘ gainst *Scotland*, as a Branch of that Design to alter
‘ Religion, by those wicked Counsels, from which
‘ God did then deliver us, which we ought never to
‘ forget.

‘ That the Rebellion in *Ireland* was framed and
‘ cherished by the Popish and Malignant Party in
‘ *England*, is not only affirmed by the Rebels, but
‘ may be cleared by many Proofs : The same rebel-
‘ lious Principles of pretended Religion, the same
‘ politick Ends are apparent in both, and their ma-
‘ licious Designs and Practices are masked and dis-
‘ guised with the same false Colour of their earnest
‘ Zeal to vindicate his Majesty’s Prerogative from
‘ the supposed Oppression of the Parliament. How
‘ much these treacherous Pretenses have been coun-
‘ tenanced by some evil Counsel about his Majesty,
‘ may appear in this, That the Proclamation whereby
‘ they were declared Traytors, was so long with-
‘ held

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‘ held as to the 2d of *January*, though the Rebellion
‘ broke forth in *October* before, and then no more
‘ but Forty Copies appointed to be printed, with a
‘ special Command from his Majesty not to exceed
‘ that Number; and that none of them should be
‘ published, till his Majesty’s Pleasure were further
‘ signified, as by the Warrant appears, a true Copy
‘ whereof is hereunto added, so that a few only
‘ could take notice of it; which was made more
‘ observable, by the late contrary Proceedings a-
‘ gainst the *Scots*, who were in a quick and sharp
‘ Manner proclaimed; and these Proclamations forth-
‘ with dispersed, with as much Diligence as might
‘ be, through all the Kingdom, and ordered to be
‘ read in all Churches, accompanied with publick
‘ Prayers and Execrations.

‘ Another Evidence of Favour and Countenance
‘ to the Rebels in some of Power about his Majesty
‘ is this, That they have put forth in his Name a
‘ causeless Complaint against the Parliament, which
‘ speaketh the same Language of the Parliament
‘ which the Rebels do, whereby to raise a Belief in
‘ Mens Minds that his Majesty’s Affections are alie-
‘ nated, as well as his Person is removed from that
‘ great Council; all which doth exceedingly retard
‘ the Supplies of *Ireland*, and more advance the Pro-
‘ ceedings of the Rebels, than any Jealousy or Mis-
‘ apprehension begotten in his Subjects, by the De-
‘ claration of the Rebels Injunctions of *Rosetti*, or In-
‘ formation of *Tristram Whitecomb*; so that considering
‘ the present State and Temper of both Kingdoms,
‘ his Royal Presence is far more necessary here than
‘ in *Ireland*, for Redemption or Protection to his
‘ Subjects there.

‘ And whether there be any Cause of his Majesty’s
‘ great Indignation, for being reproached to have in-
‘ tended Force or Threatning to the Parliament, we
‘ desire them to consider, who shall read our Decla-
‘ ration, in which there is no word tending to any
‘ such Reproach; and certainly we have been more
‘ tender

‘ tender of his Majesty’s Honour in this point than
 ‘ he, whosoever he was, that did write this Declara-
 ‘ tion, where in his Majesty’s Name, he doth call
 ‘ God to witness he never had any such Thought, or
 ‘ knew of any such Resolution of bringing up the
 ‘ Army ; which truly will seem strange to those who
 ‘ shall read the Deposition of Mr. *Goring*, the Infor-
 ‘ mation of Mr. *Percy*, and divers other Examina-
 ‘ tions of Mr. *Wilmot*, Mr. *Pollard*, and others ; the
 ‘ other Examinations of Captain *Legg*, Sir *Jacob*
 ‘ *Ashley*, Sir *John Conniers* ; and consider the Condi-
 ‘ tion and Nature of the Petition which was sent un-
 ‘ to Sir *Jacob Ashly*, under the Approbation of *C. R.*
 ‘ which his Majesty doth now acknowledge to be his
 ‘ own Hand ; and being full of Scandal to the Par-
 ‘ liament, might have proved dangerous to the
 ‘ whole Kingdom, if the Army should have inter-
 ‘ posed betwixt the King and them as was desired.

‘ We do not affirm that his Majesty’s Warrant
 ‘ was granted for the Passage of Mr. *Fermin*, after
 ‘ the Desire of both Houses for Restraint of his
 ‘ Servants, but only that he did pass over, after that
 ‘ Restraint, by virtue of such a Warrant. We know
 ‘ the Warrant bears date the Day before our Desire ;
 ‘ yet it seems strange to those who know how great
 ‘ Respect and Power Mr. *Fermin* had in the Court,
 ‘ that he should begin his Journey in such haste, and
 ‘ in Apparel so unfit for Travel, as a black Satten
 ‘ Sute, and white Boots, if his going were designed
 ‘ the Day before.

‘ The Accusation of the Lord *Kimbolton*, and the
 ‘ Five Members of the House of Commons, is cal-
 ‘ led a *Breach of Privilege* ; and truly so it was, and
 ‘ a very high one, far above any Satisfaction that
 ‘ hath been given : How can it be said to be largely
 ‘ satisfied, so long as his Majesty laboured to preserve
 ‘ Master Attorney from Punishment, who was the
 ‘ visible Actor in it ; so long as his Majesty hath
 ‘ not only justified him, but by his Letters declared,
 ‘ that it was his Duty to accuse them, and that he
 ‘ would

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‘ would have punished him if he had not done it;
 ‘ so long as these Members have not the Means of
 ‘ clearing their Innocency, and the Authors of that
 ‘ malicious Charge undiscovered, though both
 ‘ Houses of Parliament have several times petitioned
 ‘ his Majesty to discover them, and that not only
 ‘ upon Grounds of common Justice, but by Act of
 ‘ Parliament, his Majesty is bound to do it; so long
 ‘ as the King refuseth to pass a *Bill* for their Dis-
 ‘ charge, alledging, That Narrative in the *Bill* is
 ‘ against his Honour, whereby he seems still to avow
 ‘ the Matter of that false and scandalous Accusation,
 ‘ though he deserts the Prosecution, offering to pass
 ‘ a *Bill* for their Acquittal; yet with Intimation, that
 ‘ they must desert the avowing their own Innocency,
 ‘ which would more wound them in Honour than se-
 ‘ cure them in Law.

‘ And in vindication of this great Privilege of
 ‘ Parliament, we do not know that we have invaded
 ‘ any Privilege belonging to his Majesty, as is al-
 ‘ ledged in this Declaration.

‘ But we look not on this only in the Notion of a
 ‘ Breach of Privilege, which might be, though the
 ‘ Accusation were true or false, but under the No-
 ‘ tion of a heinous Crime in the Attorney, and all
 ‘ other Subjects who had a Hand in it, a Crime a-
 ‘ gainst the Law of Nature, against the Rules of
 ‘ Justice, that innocent Men should be charged with
 ‘ so great an Offence as Treason, in the Face of the
 ‘ highest Judicatory of the Kingdom, whereby their
 ‘ Lives and Estates, their Blood and their Honour
 ‘ are endangered, without Witness, without Evi-
 ‘ dence, without all Possibility of Reparation in a
 ‘ legal Course, yet a Crime of such a Nature, that
 ‘ his Majesty’s Command can no more warrant, than
 ‘ it can any other Acts of Injustice. It is true that
 ‘ those things that are evil in their own Nature, such
 ‘ as a false Testimony or false Accusation, cannot be
 ‘ the Subject of any Command, or induce any Obli-
 ‘ gation of Obedience upon any Man, by any Au-
 ‘ thority

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‘thority whatsoever; therefore the Attorney in this
‘Case was bound to refuse to execute such a Com-
‘mand, unless he had some such Evidence or Testi-
‘mony as might have warranted him against the
‘Parties, and be liable to make Satisfaction if it
‘should prove false; and it is sufficiently known to
‘every Man, and adjudged in Parliament, That the
‘King can be neither the Relator, Informer, or Wit-
‘ness. If it rest as it is, without further Satisfaction,
‘no future Parliament can be safe, but that the
‘Members may be taken and destroyed at Pleasure;
‘yea the very Principles of Government and Justice
‘will be in danger to be dissolved.

‘We do not conceive that Numbers do make an
‘Assembly unlawful, but when either the end or man-
‘ner of their Carriage shall be unlawful. Divers
‘just Occasions might draw the Citizens to *Westmin-*
‘*ster*, where many publick and private Petitions,
‘and other Causes were depending in Parliament;
‘and why that should be found more faulty in the
‘Citizens, than the Resort of great Numbers every
‘Day in the Term to the ordinary Courts of Justice,
‘we know not. That those Citizens were notoriously
‘provoked and assaulted at *Westminster* by Colonel
‘*Lunsford*, Captain *Hide*, with divers others, and by
‘some of the Servants of the Archbishop of *York*, is
‘sufficiently proved; and that afterward they were
‘more violently wounded, and most barbarously
‘mangled with Swords by the Officers and Soldiers
‘near *Whitehall*, many of them being without Weap-
‘ons, and giving no cause of Distaste, as is likewise
‘proved by several Testimonies; but of any scanda-
‘lous or seditious Misdemeanours of theirs, that
‘might give his Majesty good Cause to suppose his
‘own Person, or those of his Royal Consort, or
‘Children, to be in apparent Danger, we have had
‘no proof ever offered to either House; and if there
‘had been any Complaint of that kind, it is no
‘doubt the Houses would have been as forward to
‘join in an Order for the suppressing such Tumults,

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‘ as they were not long before upon another Occa-
‘ sion, when they made an Order to that Purpose.
‘ Whereas those Soldiers and Officers which commit-
‘ ted that Violence upon so many of the Citizens at
‘ *Whitehall*, were cherished and fostered in his Majes-
‘ ty’s House : And when not long after the Com-
‘ mon-Council of *London* presented a Petition to his
‘ Majesty for Reparation of those Injuries ; his Ma-
‘ jesty’s Answer was (without hearing the Proof of
‘ the Complainants) That if any Citizen were
‘ wounded or ill-treated, his Majesty was confident-
‘ ly assured, that it happened by their own evil and
‘ corrupt Demeanours.

‘ We hope it cannot be thought contrary to the
‘ Duty and Wisdom of a Parliament, if many con-
‘ curring, and frequently reiterated and renewed Ad-
‘ vertisements from *Rome*, *Venice*, *Paris*, and other
‘ Parts ; if the Sollicitations of the Pope’s *Nuncio*,
‘ and our own discontented Fugitives, do make us
‘ jealous and watchful for the Safety of the State.
‘ And we have been very careful to make our Ex-
‘ pressions thereof so easy and so Plain to the Capa-
‘ city and Understanding of the People, that nothing
‘ might justly stick with them, with Reflection up-
‘ on the Person of his Majesty. Wherein we appeal
‘ to the Judgment of any indifferent Person, who
‘ shall read and peruse our own Words. We must
‘ maintain the Grounds of our Fears to be of that
‘ Moment, that we cannot discharge the Trust and
‘ Duty which lies upon us, unless we do apply our
‘ selves to the use of those Means which the Laws
‘ hath enabled us in Cases of this Nature, for the ne-
‘ cessary Defence of the Kingdom ; and as his Ma-
‘ jesty doth graciously declare, The Law shall be the
‘ Measure of his Power ; so do we most heartily pro-
‘ fess, that we shall always make it the Rule of our
‘ Obedience.

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Prudent Omissions in the King's Answer.

‘ The next Point of our Declaration was with
‘ much Caution artificially passed over by him who
‘ drew his Majesty’s Answer, it being indeed the
‘ Foundation of all our Misery, and his Majesty’s
‘ Trouble, that he is pleased to hear general Taxes
‘ upon his Parliament, without any particular Charge
‘ to which they may give Satisfaction, and that he
‘ hath often conceived Displeasure against particular
‘ Persons upon Misinformation ; and although those
‘ Informations have been clearly proved to be false,
‘ yet he would never bring the Accusers to question,
‘ which layeth an Impossibility upon honest Men of
‘ clearing themselves, and gives Encouragement unto
‘ false and unworthy Persons to trouble with untrue
‘ and groundless Informations, Three Particulars we
‘ mentioned in our Declaration, which the Penner of
‘ that Answer had good Cause to omit ; the Words
‘ supposed to be spoken at *Kensington*, the pretended
‘ Articles against the Queen, and the groundless Ac-
‘ cusation of the six Members of Parliament, there
‘ being nothing to be said in Defence or Denial of
‘ them.

‘ Concerning his Majesty’s Desire to join with
‘ his Parliament, and with his faithful Subjects, in
‘ Defence of Religion, and Publick Good of the
‘ Kingdom ; we doubt not but he will do it fully,
‘ when evil Counsellors shall be removed from about
‘ him, and untill that be, as we have showed before
‘ of Words, so must we also say of Laws, that they
‘ cannot secure us ; Witness the *Petition of Right*,
‘ which was followed with such an Inundation of il-
‘ legal Taxes, that we had just Cause to think that
‘ the Payment of Eight Hundred and Twenty Thou-
‘ sand Pounds was an easy Burthen to the Com-
‘ monwealth, in exchange of them ; and we cannot
‘ but justly think, that if there be a Continuance of
‘ such ill Counsellors, and Favour to them, they
‘ will by some wicked Devise or other, make the

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‘ Bill for the Triennial Parliament, and those other
 ‘ excellent Laws mentioned in his Majesty’s Declara-
 ‘ tion, of less value than Words.

‘ That excellent Bill for the Continuance of this
 ‘ Parliament was so necessary, that without it, we
 ‘ could not have raised so great Sums of Money for
 ‘ the Service of his Majesty and the Commonwealth
 ‘ as we have done, and without which the Ruin and
 ‘ Destruction of the Kingdom must have followed.
 ‘ And we are resolved, the gracious Favour of his
 ‘ Majesty expressed in that Bill, and the Advantage
 ‘ and Security which thereby we have from being dis-
 ‘ solved, shall not encourage us to do any Thing
 ‘ which otherwise had not been fit to have been done.
 ‘ And we are ready to make it good before all the
 ‘ World, that although his Majesty hath passed ma-
 ‘ ny Bills very advantageous for the Subject, yet
 ‘ in none of them have we bereaved his Majesty of
 ‘ any just, necessary, or profitable Prerogative of
 ‘ the Crown. We do so earnestly desire his Majes-
 ‘ ty’s Return to *London*, that upon it we conceive,
 ‘ depends the very Safety and Being of both King-
 ‘ doms: And therefore must protest, that as for
 ‘ the Time past, neither the Government of *London*
 ‘ nor any Laws of the Land, have lost their Life
 ‘ and Force for his Security; so for the future, we
 ‘ shall be ready to do or say, any Thing that may
 ‘ stand with the Duty or Honour of a Parliament,
 ‘ which may raise a mutual Confidence betwixt his
 ‘ Majesty and us, as we do wish, and as the Affairs
 ‘ of the Kingdom do require.

‘ Thus far the Answer to that which is called
 ‘ *His Majesty’s Declaration*, hath led us. Now we
 ‘ come to that which is called *His Majesty’s Answer*
 ‘ *to the Petition of both Houses, presented to him at York*
 ‘ *the 26th of March 1642.* In the beginning where-
 ‘ of his Majesty wisheth that our Privileges on all
 ‘ Parts were so stated, that this way of Correspon-
 ‘ dency might be preserved with that Freedom which
 ‘ hath been used of old. We know nothing intro-
 ‘ duced

'duced by us that gives any Impediment hereunto ;
 'neither have we affirmed our Privileges to be broken,
 'when his Majesty denies us any Thing, or gives us a Reason
 'why he cannot grant it, or that those who advised such Denial,
 'were Enemies to the Peace of the Kingdom, and Favourers of the
 '*Irish* Rebellion, in which Aspersions, that is turned into a
 'general Assertion, which in our Votes is applied to a particular
 'Case ; wherefore we must maintain our Votes, that those who
 'advised his Majesty to contradict that which both Houses in the
 'Question concerning the *Militia*, had declared to be Law and
 'Command, it should not be obeyed, is a high Breach of Privilege ;
 'and that those who advised his Majesty to absent himself from his
 'Parliament, are Enemies to the Peace of this Kingdom, and justly
 'to be suspected to be Favourers of the Rebellion in *Ireland*. The
 'Reasons of both are evident, because in the first there is as great
 'a Derogation from the Trust and Authority of Parliament ; and in
 'the second, as much Advantage to the Proceedings and Hopes of the
 'Rebels as may be : And we hold it a very causeless Imputation
 'upon the Parliament, that we have herein any way impeached,
 'much less taken away the Freedom of his Majesty's Vote, which
 'doth not import a Liberty for his Majesty to deny any Thing,
 'how necessary soever, for the Preservation of the Kingdom,
 'much less a Licence to evil Counsellors, to advise any Thing,
 'though never so destructive to his Majesty and his People (2).
 'By the Message of the 20th of *January*, his Majesty did propound to
 'both Houses of Parliament, that they would with all speed
 'fall into a serious Consideration of all those Particulars,
 'which they thought necessary as

REM. (2). *I do not think it was ever decided to what Acts the King may, or may not, deny his Assent. So there arises an inexhaustible source of Disputes, when the King and Parliament do not agree.*

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‘ well for the upholding and maintaining his Majesty’s just and regal Authority, and for the settling the Revenue, as for the present and future establishing our Privileges. The free and quiet enjoying our Estates, the Liberties of our Persons, the Security of the true Religion professed in the Church of *England*, and the settling of Ceremonies in such a manner as may take away all just Offence, and digest it into one entire Body.

‘ To that Point of upholding and maintaining his Royal Authority, we say nothing hath been done to the Prejudice of it, that should require any new Provision : To the other of settling of the Revenue, the Parliament hath no ways abridged or disordered his just Revenue ; but it is true that much waste and Confusion of his Majesty’s Estate hath been made by those evil and unfaithful Ministers, whom he hath employed in the Management of it, whereby his own ordinary Expences would have been disappointed, and the Safety of the Kingdom more endangered, if the Parliament had not in some Measure provided for his Household, and for some of the Forts, more than they were bound to do ; and they are still willing to settle such a Revenue upon his Majesty, as may make him live Royally, Plentifully, and Safely ; but they cannot in Wisdom and Fidelity to the Common-wealth do this, till he shall chuse such Counsellors and Officers as may order and dispose it to the Publick Good, and not apply it to the Ruin and Destruction of his People, as heretofore it hath been. But this and the other Matters concerning our selves, being Works of great Importance, and full of Intricacy, will require so long a Time of Deliberation, that the Kingdom might be ruined before we should effect them. Wherefore we thought it necessary, first to be Suitors to his Majesty, so to order the *Militia*, that the Kingdom being secured, we might with more Ease and Safety apply our selves to debate of that Message wherein we have been interrupted

' rupted by his Majesty's Denial of the Ordinance
 ' concerning the same, because it would have been
 ' in vain for us to labour in other Things, and in
 ' the mean Time to leave our selves naked to the
 ' Malice of so many Enemies both at home and a-
 ' broad; yet we have not been altogether negligent
 ' of those Things which his Majesty is pleased to
 ' propound in that Message: We have agreed upon
 ' a Book of Rates in a larger Proportion than hath
 ' been granted to any of his Majesty's Predecessors,
 ' which is a considerable Support of his Majesty's
 ' Publick Charge; and have likewise prepared divers
 ' Propositions and *Bills* for Preservation of our Re-
 ' ligion and Liberties, which we intend shortly to
 ' present to his Majesty, and to do whatsoever is fit
 ' for us to make up this unpleasant Breach betwixt
 ' his Majesty and his Parliament.

' Whereas divers Exceptions are here taken con-
 ' cerning the *Militia*; first, That his Majesty never
 ' denied the Thing, but accepted the Persons (ex-
 ' cept for Corporations) only that he denied the
 ' way. To which we answer, That that Exception
 ' takes of *London*, and all other great Towns and
 ' Cities, which makes a great Part of the Kingdom;
 ' and for the way of Ordinance it is ancient, more
 ' speedy, more easily alterable, and in all these and
 ' other Respects, more proper and more applicable
 ' to the present Occasion, than a Bill which his Ma-
 ' jesty calls the only good old way of imposing upon
 ' the Subjects. It should seem that neither his Majesty's
 ' Royal Predecessors, nor our Ancestors have hereto-
 ' fore been of that Opinion; 37 *Ed. 3.* we find this
 ' Record, *The Chancellor made Declaration of the Chal-
 ' lenge of the Parliament; the King desires to know the
 ' Grievs of his Subjects, and to redress Enormities. The
 ' last Day of the Parliament the King demanded of the
 ' whole Estates, Whether they would have such Things
 ' as they agreed on, by way of Ordinance or Statute;
 ' who answered, By way of Ordinance, for that they
 ' might amend the same at their Pleasure, and so it was.*

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‘ But his Majesty objects further, that there is
 ‘ somewhat in the Preface to which he could not
 ‘ consent with Justice to his Honour and Innocence,
 ‘ and that thereby he is excluded from any Power in
 ‘ the disposing of it. These Objections may seem
 ‘ somewhat, but indeed will appear nothing, when it
 ‘ shall be considered, that nothing in the Preamble
 ‘ lays any Charge upon his Majesty, or in the Body
 ‘ of the Ordinance, that excludes his Royal Autho-
 ‘ rity in the disposing or execution of it : But only
 ‘ it is provided, That it should be signified by both
 ‘ Houses of Parliament, as that Channel through
 ‘ which it will be best derived, and most certainly to
 ‘ those Ends for which it is intended, and let all the
 ‘ World judge, whether we have not Reason to insist
 ‘ upon it, that the Strength of the Kingdom should
 ‘ rather be ordered according to the Direction or Ad-
 ‘ vice of the great Council of the Land, equally in-
 ‘ trusted by the King, and by the Kingdom, than
 ‘ that the Safety of the King, Parliament, and King-
 ‘ dom, should be left at the Devotion of a few un-
 ‘ known Counsellors, many of them not intrusted
 ‘ at all by the King in any Publick way, not at all
 ‘ confided in by the Kingdom.

‘ We wish the Danger were not imminent, or not
 ‘ still continuing, but cannot conceive that the long
 ‘ Time spent in this Debate is Evidence sufficient that
 ‘ there was no such Necessity or Danger, but a *Bill*
 ‘ might easily have been prepared ; for when many
 ‘ Causes do concur to the Danger of a State, the
 ‘ Interruption of any one may hinder the Execution
 ‘ of all the rest, and yet the Design be still kept on
 ‘ foot for better Opportunities. Who knows whe-
 ‘ ther the ill Success of the Rebels in *Ireland* had not
 ‘ hindered the Insurrections of the Papists here ?
 ‘ Whether the Preservation of the six Members of
 ‘ the Parliament falsely accused, hath not prevented
 ‘ that Plot of the breaking the Neck of the Parlia-
 ‘ ment, of which we were informed from *France*, not
 ‘ long

‘ long before they were accused ? Yet since his Majesty hath been pleased to express his Pleasure rather for a Bill than an Ordinance, and that he sent in one for that Purpose, we readily entertained it, and with some small and necessary Alterations, speedily passed the same : But contrary to the Custom of Parliament, and our Expectations grounded upon his Majesty’s own Invitation of us to that way, and the other Reasons manifested in our Declaration concerning the *Militia* of the 5th of *May*, instead of his Royal Assent, we met with an absolute Refusal.

‘ If the Matter of these our Votes of the 15th and 16th of *March*, be according to Law, we hope his Majesty will allow the Subjects to be bound by them, because he hath said, he will make the Law the Rule of his Power ; and if the Question be, Whether that be Law which the Lords and Commons have once declared to us so, who shall be the Judge ? Not his Majesty ; for the King judgeth not of Matters of Law, but by his Courts ; and his Courts, though sitting by his Authority, expect not his Assent in Matters of Law : Nor any other Courts, for they cannot judge in that Case, because they are inferiour ; no Appeal lying to them from Parliament, the Judgment whereof is, in the Eye of the Law, the King’s Judgment in his highest Court ; though the King in his Person be neither present nor assenting thereunto (3).

REM. (3). *I observed elsewhere, the Defect of this Reasoning, which is a mere Fallacy, built upon the equivocal Word Parliament. For under colour that in a certain Sense the two Houses alone are called the Parliament, they assume to themselves here the Rights belonging solely to the Parliament composed of King, Lords, and Commons.*

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‘ The Votes at which his Majesty takes Exceptions, are these :

‘ I. *That the King's Absence so far remote from the Parliament, is not only an Obstruction, but may be a Destruction to the Affairs of Ireland.*

‘ II. *That when the Lords and Commons shall declare what the Law of the Land is, to have this not only questioned and controverted, but contradicted, and a Command that it should not be obeyed, is a high Breach of the Privilege of Parliament.*

‘ III. *That those Persons that advised his Majesty to absent himself from the Parliament, are Enemies to the Peace of the Kingdom, and justly may be suspected to be Favourers of the Rebellion in Ireland.*

‘ *That the Kingdom hath been of late, and still is in so imminent Danger, both from Enemies abroad, and a Popish and discontented Party at home, that there is an urgent and inevitable Necessity of putting his Majesty's Subjects into a Posture of Defence, for the Safeguard both of his Majesty and his People.*

‘ *That the Lords and Commons fully apprehending this Danger, and being sensible of their own Duty, to provide a suitable Prevention, have in several Petitions addressed themselves to his Majesty, for the ordering and disposing the Militia of the Kingdom, in such a way as was agreed upon by the Wisdom of both Houses, to be most effectual and proper for the present Exigents of the Kingdom, yet could not obtain it ; but his Majesty did several Times refuse to give his Royal Assent thereunto.*

‘ *That in this Case of extreme Danger, and his Majesty's Refusal, the Ordinance of Parliament agreed upon by both Houses for the Militia, doth oblige the People, and ought to be obeyed by the fundamental Laws of this Kingdom.*

‘ By all which it doth appear, that there is no colour that by this Tax we go about to introduce a new Law, much less to exercise an arbitrary Power,

' Power, but indeed to prevent it ; for this Law is
 ' as old as the Kingdom, that the Kingdom must not
 ' be without a Means to preserve itself ; which that
 ' it may be done without Confusion, this Nation
 ' hath intrusted certain Hands with a Power to pro-
 ' vide, in an orderly and regular way, for the Good
 ' and Safety of the Whole ; which Power, by the
 ' Constitution of this Kingdom, is in his Majesty and
 ' his Parliament together : Yet since the Prince be-
 ' ing but one Person, is more subject to Accidents of
 ' Nature and Chance, whereby the Commonwealth
 ' may be deprived of the Fruits of that Trust which
 ' was in part reposed in him ; in Cases of such Necessi-
 ' ty, that the Kingdom may not be enforced pre-
 ' sently to return to its first Principles, and every Man
 ' left to do what is Right in his own Eyes, without
 ' either Guide or Rule : The Wisdom of this State
 ' hath intrusted the Houses of Parliament with a
 ' Power to supply what shall be wanting on the Part
 ' of the Prince ; as is evident by the constant Custom
 ' and Practice thereof in Cases of Nonage, natural
 ' Disability and Captivity ; and the like Reason doth
 ' and must hold for the Exercise of the same Power
 ' in such Cases, where the Royal Trust cannot be,
 ' or is not discharged, and that the Kingdom runs an
 ' evident and imminent Danger thereby ; which Dan-
 ' ger having been declared by the Lords and Com-
 ' mons in Parliament, there needs not the Authority
 ' of any Person or Court to affirm ; nor is it in the
 ' Power of any Person or Court to revoke that Judg-
 ' ment. (4)

' We

REM. (4). *All these Reasonings of both Houses are
 founded upon the Supposition of an imminent Danger.
 When they come to give Proofs of the Reality of this Dan-
 ger, they alledge only Suspicions, whereof they explain
 the Causes. After which, they affirm the Danger to be
 real, because they have declared it so, and because there
 is*

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‘ We know that the King hath Ways enough in
 ‘ his ordinary Courts of Justice to punish such sedi-
 ‘ tious Pamphlets and Sermons, as are any way pre-
 ‘ judicial to his Rights, Honour and Authority ; and
 ‘ if any of them have been so insolently violated and
 ‘ villified, his Majesty’s own Council and Officers
 ‘ have been to blame, and not the Parliament : We
 ‘ never did restrain any Proceedings of this kind in
 ‘ other Courts, nor refuse any fit Complaint to us :
 ‘ The *Protestation Protested* was referred by the Com-
 ‘ mons House to a Committee, and the Author being
 ‘ not produced, the Printer was committed to Prison,
 ‘ and the Book voted by that Committee to be burnt;
 ‘ but Sir *Edward Deering*, who was to make that
 ‘ Report of the Votes of that Committee, neglected
 ‘ to make it. The Apprentices Protestation was ne-
 ‘ ver complained of ; but the other seditious Pam-
 ‘ phlet (*To your Tents, O Israel*) was once questioned,
 ‘ and the full Prosecution of it was not interrupted
 ‘ by any Fault of either House, whose forwardness to
 ‘ do his Majesty all Right therein, may plainly ap-
 ‘ pear, in that a Committee of Lords and Commons
 ‘ were purposely appointed to take such Information
 ‘ as the King’s Council should present, concerning
 ‘ seditious Words, Practices or Tumults, Pamphlets
 ‘ or Sermons, tending to the Derogation of his Ma-
 ‘ jesty’s Rights or Prerogative ; and his Council
 ‘ were enjoined by the Committee to enquire and
 ‘ present them ; who several times met thereupon,
 ‘ and received this Answer and Declaration from the
 ‘ King’s Council, that they knew of no such thing as
 ‘ yet.

‘ If his Majesty had used the Service of such a
 ‘ one in penning this Answer, who understood the
 ‘ Laws and Government of this Kingdom, he would

*is no superior Authority to revoke their Judgment. But
 this Declaration does not make the Danger real, if it be
 not so indeed. It is easy therefore to perceive, by their
 way of Proceeding, that this Point gravelled them.*

‘ not

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not have thought it legally in his own Power to deny his Parliament a Guard when they stood in need of it, since every ordinary Court hath it; neither would his Majesty, if he had been well-informed of the Laws, have refused such a Guard as they desired, it being in the Power of inferiour Courts to command their own Guards; neither would he have imposed upon them such a Guard, under a Commander which they could not confide in; which is clearly against the Privileges of Parliament, and of which they found very dangerous Effects, and therefore desired to have it discharged; but such a Guard, and so commanded, as the Houses of Parliament desired, they could never obtain of his Majesty; and the placing of a Guard about them contrary to their Desire, was not to grant a Guard to them, but in effect to set one upon them. All which considered; we believe in the Judgments of any indifferent Persons it will not be thought strange if there were a more than ordinary Resort of People at *Westminster*, of such as came willingly of their own accord to be Witnesses and Helpers of the Safety of them whom all his Majesty's good Subjects are bound to defend from Violence and Danger; or that such a Concourse as this, they carrying themselves quietly and peaceably (as they did) ought, in his Majesty's Apprehension, or can, in the Interpretation of the Law, be held tumultuary and seditious.

When his Majesty, in that Question of Violation of the Laws, had expressed the Observation of them indefinitely, without any Limitation of Time, although we never said or thought any thing that might look like a Reproach to his Majesty, yet we had reason to remember that it had been otherwise, lest we should seem to desert our former Complaints and Proceedings thereupon, as his Majesty doth seem but little to like or approve of them; for although he doth acknowledge here that great Mischief that grew by that Arbitrary Power then

com-

1642. ‘ complained of, yet such are continually preferred
 ‘ and countenanced as were Friends or Favourers, or
 ‘ related unto the chief Authors and Actors of that
 ‘ Arbitrary Power, and of those false Colours,
 ‘ Suggestions of imminent Danger and Necessity,
 ‘ whereby they did make it plausible unto his Ma-
 ‘ jesty. And on the other Side, such as did appear a-
 ‘ gainst them are daily discountenanced and disgraced;
 ‘ which whilst it shall be so, we have no reason to
 ‘ judge the Disease to be yet killed and dead at Root,
 ‘ and therefore no reason to bury it in Oblivion. And
 ‘ whilst we behold the Spawns of these mischievous
 ‘ Principles cherished and fostered in that new Gene-
 ‘ ration of Counsellors, Friends and Abettors of the
 ‘ former, or at least concurring with them in their
 ‘ Malignancy against the Proceedings of this Par-
 ‘ liament, we cannot think our selves secure from the
 ‘ like or a worse Danger.

‘ And here the Penner of this Answer bestows an
 ‘ Admonition upon the Parliament, bidding us take
 ‘ heed we fall not upon the same Error, upon the
 ‘ same Suggestions. But he might have well spared
 ‘ this, till he could have shewed wherein we had ex-
 ‘ ercised any Power otherwise than by the Rule of
 ‘ the Law, or could have found a more authentick
 ‘ or higher Judge in Matters of Law, than the High
 ‘ Court of Parliament.

‘ It is declared in his Majesty’s Name, That he is
 ‘ resolved to keep the Rule himself, and to his
 ‘ Power to require the same of all others. We must
 ‘ needs acknowledge, that such a Resolution is like
 ‘ to bring much Happiness and Blessing to his Ma-
 ‘ jesty, and all his Kingdom; yet with Humility we
 ‘ must confess, we have not the Fruit of it, in that
 ‘ Case of my Lord *Kimbolton*, and the other Five
 ‘ Members, accused contrary to Law, both Common
 ‘ Law and the Statute Law, and yet remain unsatis-
 ‘ fied; which Case was remembred in our Declara-
 ‘ tion, as a strange and unheard of Violation of our
 ‘ Laws. But the Penner of this Answer thought fit

‘ to pass it over, hoping that many would read his
‘ Majesty’s Answer, (which hath been so carefully
‘ dispersed) which would not read our Declaration.

‘ Whereas, after our ample Thanks and Acknow-
‘ ledgment of his Majesty’s Favour in passing many
‘ good Bills, we said, That Truth and Necessity in-
‘ forced us to add this, that in or about the time of
‘ passing those Bills, some Design or other hath been
‘ on Foot, which if it had taken Effect, would not
‘ only have deprived us of the Fruit of those Bills,
‘ but would have reduced us to a worse Condition of
‘ Confusion than that wherein the Parliament found
‘ us. It is now told us, That the King must be most
‘ sensible of what we cast upon him, for requital
‘ for those good Bills; whereas out of our usual
‘ Tendernefs of his Majesty’s Honour, we did not
‘ mention him at all: But so injurious are those
‘ wicked Counsellors to the Name and Honour of
‘ their Master and Sovereign, that as much as they
‘ can, they lay their own Infamy and Guilt upon his
‘ Shoulders.

‘ Here God also is call’d to witness his Majesty’s up-
‘ right Intentions at the passing those Laws; this we
‘ will not question, neither did we give any Occasion
‘ for such a solemn Affelevation as this is. The Devil
‘ is likewise desired to prove there was any Design
‘ with his Majesty’s Knowledge or Privy. This
‘ might well have been spared, for we spoke nothing
‘ of his Majesty: But since we are so far taxed as
‘ to have it affirmed, that we laid a notorious and
‘ false Imputation upon his Majesty, we have thought
‘ it necessary, for the just Defence of our own In-
‘ nocency, to cause the Oaths and Examinations
‘ which had been taken concerning the Design to be
‘ published in a full Narration, for the Satisfaction
‘ of all his Majesty’s Subjects; out of which we
‘ shall now offer some few Particulars, whereby the
‘ World may judge whether we could have proceeded
‘ with more Tendernefs towards his Majesty than
‘ we have done. Mr. Goring confesseth, that the

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‘ King first asked him, whether he was engaged in
 ‘ any *Cabal* concerning the Army? And commanded
 ‘ him to join with Mr. *Percy* and Mr. *Fermin*, and
 ‘ some others, whom they should find within at Mr.
 ‘ *Percy’s* Chamber; where they took the Oath of
 ‘ Secrecy, and then debated of a Design propounded
 ‘ by Mr. *Fermin*, to secure the *Tower*, and to con-
 ‘ sider of bringing the Army to *London*, and Cap-
 ‘ tain *Legg* confessed, he had received the Draught of
 ‘ a Petition in the King’s Presence; and his Majesty
 ‘ acknowledged it was from his own Hand: And
 ‘ whosoever reads the Sum of that Petition, as it was
 ‘ proved by the Testimony of Sir *Jacob Astly*, Sir
 ‘ *John Coniers*, and Captain *Legg*, will easily perceive
 ‘ some Points in it, apt to beget in them some Dis-
 ‘ content against the Parliament. And can any Man
 ‘ believe there was no Design in the Accusation of
 ‘ the Lord *Kimbolton*, and the rest, in which his Ma-
 ‘ jesty doth avow himself to be both a Commander
 ‘ and Actor? These things being so, it will easily
 ‘ appear to be as much against the Rule of Prudence,
 ‘ that the Penner of this Answer should entangle his
 ‘ Majesty in this unnecessary Apology; as it is a-
 ‘ gainst the Rules of Justice, that any Reparation
 ‘ from us should be either yielded or demanded.

‘ It is professed in his Majesty’s Name, That he
 ‘ is truly sensible of the Burdens of his People,
 ‘ which makes us hope that he will take that course
 ‘ which will be most effectual to ease them of these
 ‘ Burdens; that is, to join with his Parliament in
 ‘ preserving the Peace of the Kingdom; which by
 ‘ his Absence from them hath been much endangered,
 ‘ and which by hindering the voluntary Adventurers
 ‘ for the recovery of *Ireland*, and disabling the Sub-
 ‘ jects to discharge the great Tax laid upon them, is
 ‘ like to make the War much more heavy to the
 ‘ Kingdom. And for his Majesty’s Wants, the Par-
 ‘ liament hath been no Cause of them; we have not
 ‘ diminished his just Revenue, but have much eased
 ‘ his publick Charge, and somewhat his private.

‘ And we shall be ready in a parliamentary Way to
‘ settle his Revenue in such an honourable Proportion,
‘ as may be answerable to both, when he shall put
‘ himself into such a Posture of Government, that
‘ his Subjects may be secure to enjoy his just Protec-
‘ tion for their Religion, Laws and Liberties.

‘ We never refused his Majesty’s gracious Offer of
‘ a free and general Pardon, only we said it could be
‘ no Security to our present Fears and Jealousies :
‘ And we gave a Reason for it, that those Fears did
‘ not arise out of any Guilt of our own Actions,
‘ but out of the evil Designs and Attempts of others ;
‘ and we leave it to the World to judge, whether we
‘ herein deserve so heavy a Tax and Exclamation,
‘ (*That it was a strange World, when Princes proffered*
‘ *Favours are counted Reproaches* ; such are the Words
‘ of his Majesty’s Answer) who do esteem that Offer
‘ as an Act of princely Grace and Bounty, which
‘ since this Parliament began, we have humbly de-
‘ sired we might obtain, and do still hold it necessary
‘ and advantageous for the Generality of the Sub-
‘ jects, upon whom these Taxes and Subsidies lie
‘ heaviest ; but we see, upon every occasion, how
‘ unhappy we are in his Majesty’s Misapprehensions
‘ of our Words and Actions.

‘ We are fully of the King’s Mind, as it is here
‘ declared, That he may rest so secure of the Af-
‘ fections of his Subjects, that he should not stand in
‘ need of foreign Force to preserve him from Op-
‘ pression, and are confident that he shall never want
‘ an abundant Evidence of the good Wishes and
‘ Assistance of his whole Kingdom, especially if he
‘ shall be pleased to hold to that gracious Resolution
‘ of building upon that sure Foundation, the Law
‘ of the Land : But why his Majesty should take it
‘ ill, that we having received Information so deeply
‘ concerning the Safety of the Kingdom, should
‘ think them fit to be considered of, we cannot con-
‘ ceive ; for although the Name of the Person was
‘ unknown, yet that which was more substantial to

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‘ the Probability of the Report was known (that is,)
 ‘ that he was Servant to the Lord *Digby*, who in his
 ‘ presumptuous Letter to the Queen’s Majesty, and
 ‘ other Letters to Sir *Lewis Dives*, had intimated
 ‘ some wicked Proposition suitable to that Informa-
 ‘ tion; but that this should require Reparation, we
 ‘ hold it as far from Justice as it is from Truth, that
 ‘ we have mixed any Malice with these Rumours,
 ‘ thereby to feed the Fears and Jealousies of the
 ‘ People.

‘ It is affirmed his Majesty is driven (but not by
 ‘ us yet) from us; perchance hereafter if there be
 ‘ Opportunity of gaining more Credit, there will
 ‘ not be wanting who will suggest unto his Majesty,
 ‘ that it is done by us. And if his Majesty were dri-
 ‘ ven from us, we hope it was not by his own Fears,
 ‘ but by the Fears of the Lord *Digby*, and his Re-
 ‘ tinue of *Cavaliers* (5); and that no Fears of any
 ‘ tumultuary Violence but of their own just Punish-
 ‘ ment for their manifold Insolence and intended Vio-
 ‘ lence against the Parliament. And this is expressed
 ‘ by the Lord *Digby* himself, when he told those *Ca-
 ‘ valiers*, that the principal Cause of his Majesty’s
 ‘ going out of Town, was to save them from being
 ‘ trampled in the Dirt; but of his Majesty’s Person
 ‘ there was no Cause of Fear in the greatest Heat of
 ‘ the People’s Indignation, after the Accusation, and
 ‘ his Majesty’s violent coming to the House; there

REM. (5). By the Lord *Digby*’s *Cavaliers* were meant the Officers and Gentlemen who assembled at White-hal, to guard the King, at the Head of whom was the Lord *Digby*. I do not believe that at the Time when this Declaration was published, the Term *Cavaliers* was commonly made use of to denote the Royal Party. Perhaps this Word, used here by the Parliament, was the Occasion of calling those who sided with the King *Cavaliers*, as those who took the Parliament’s Part were named *Round-Heads*. These two Names were afterwards changed into those of *Tories* and *Whiggs*.

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‘ was no shew of any evil Intention against his Regal
‘ Person, of which there can be no better Evidence
‘ than this, that he came the next Day without a
‘ Guard into the City, where he heard nothing but
‘ Prayers and Petitions, no Threatnings nor irreve-
‘ rent Speeches, that might give him any just Occa-
‘ sion of Fear, that we heard of, or that his Majes-
‘ ty exprest : For he staid near a Week after at
‘ *Whitehall* in a secure and peaceable Condition,
‘ whereby we are induced to believe that there is no
‘ Difficulty or Doubt at all, but his Majesty’s Resi-
‘ dence near *London*, may be as safe as in any part of
‘ the Kingdom. We are most assured of the faith-
‘ fulness of the City and Suburbs ; and for our selves,
‘ we shall quicken the Vigour of the Laws, the In-
‘ dustry of the Magistrates, the Authority of the
‘ Parliament for the suppressing of all tumultuary
‘ Insolences whatsoever, and for the vindicating of
‘ his Honour from all insupportable and insolent
‘ Scandals, if any such shall be found to be raised
‘ upon him, as are mentioned in this Answer ; and
‘ therefore we think it altogether unnecessary, and
‘ exceeding inconvenient to adjourn the Parliament
‘ to any other Place.

‘ Where the Desire of a good Understanding be-
‘ twixt the King and the Parliament is on both Parts
‘ so earnest, as is here professed by his Majesty to be
‘ in him, and we have sufficiently testified to be in
‘ our selves, it seems strange we should be so long
‘ asunder ; it can be nothing else but evil and mali-
‘ cious Counsel misrepresenting our Carriage to him,
‘ and indisposing his Favour to us : And as it shall
‘ be far from us to take any Advantage of his Ma-
‘ jesty’s supposed Straits, as to desire, much less to
‘ compel him to that which his Honour or Interest
‘ may render unpleasant and grievous to him ; so we
‘ hope that his Majesty will not make his own Un-
‘ derstanding or Reason the Rule of his Government,
‘ but will suffer himself to be assisted with a wise and
‘ prudent Council, that may deal faithfully betwixt

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 ' prudent Council, that may deal faithfully betwixt

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‘ him and his People ; and that he will remember
 ‘ that his Resolutions do concern Kingdoms, and
 ‘ therefore ought not to be moulded by his own,
 ‘ much less by any other private Person, which is
 ‘ not alike proportionable to so great a Trust. And
 ‘ therefore we still desire and hope that his Majesty
 ‘ will not be guided by his own Understanding, or
 ‘ think those Courses, Straits, and Necessities, to
 ‘ which he shall be advised by the Wisdom of both
 ‘ Houses of Parliament, which are the Eyes in this
 ‘ Politick Body, whereby his Majesty is by the Con-
 ‘ stitution of this Kingdom to discern the Differences
 ‘ of those Things which concern the Publick Peace
 ‘ and Safety thereof.

‘ We have given his Majesty no cause to say, that
 ‘ we do meanly value the discharge of his publick
 ‘ Duty whatsoever Acts of Grace or Justice have
 ‘ been done, they proceed from his Majesty by the
 ‘ Advice and Counsel of his Parliament ; yet we
 ‘ have, and shall always answer them with constant
 ‘ Gratitude, Obedience and Affection : And al-
 ‘ though many Things have been done since this
 ‘ Parliament of another Nature, yet we shall not
 ‘ cease to desire the continued Protection of Almight-
 ‘ ty God upon his Majesty ; and most humbly peti-
 ‘ tion him to cast from him all those evil and contra-
 ‘ ry Counsels which have in many Particulars former-
 ‘ ly mentioned, much detracted from the Honour of
 ‘ his Government, the Happiness of his own Estate,
 ‘ and Prosperity of his People.

‘ And having passed so many Dangers from a-
 ‘ broad, so many Conspiracies at Home, and brought
 ‘ on the Publick Work so far, through the greatest
 ‘ Difficulties that ever stood in Opposition to a Par-
 ‘ liament, to such a Degree of Success, that no-
 ‘ thing seems to be left in our way able to hinder the
 ‘ full Accomplishment of our Desires and Endeavours
 ‘ of the Publick Good ; unless God in his Justice do
 ‘ send such a grievous Curse upon us, as to turn the
 ‘ Strength of the Kingdom against it self, and to ef-
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‘fect that by their own Folly and Credulity, which
 ‘the Power and Subtilty of their and our Enemies
 ‘could not attain, that is, to divide the People from
 ‘the Parliament, and to make them serviceable to
 ‘the Ends and Aims of those who would destroy
 ‘them. Therefore we desire the Kingdom to take
 ‘notice of this last and most desperate and mischie-
 ‘vous Plot of the malignant Party, that is acted and
 ‘prosecuted in many Parts of the Kingdom, under
 ‘plausible Notions of stirring them up to a Care of
 ‘preserving the King’s Prerogative, maintaining the
 ‘Discipline of the Church, upholding and continu-
 ‘ing the Reverence and Solemnity of God’s Service,
 ‘and encouraging of Learning. And upon these
 ‘Grounds divers mutinous Petitions have been fra-
 ‘med in *London, Kent*, and other Counties, and sun-
 ‘dry of his Majesty’s Subjects have been solicited
 ‘to declare themselves for the King against the Par-
 ‘liament : And many false and foul Aspersions have
 ‘been cast upon our Proceedings, as if we had been not
 ‘only negligent, but averse in these Points : Where-
 ‘as we desire nothing more than to maintain the Pu-
 ‘rity and Power of Religion, and to honour the
 ‘King in all his just Prerogatives ; and for Encou-
 ‘ragement and Advancement of Piety and Learn-
 ‘ing, we have very earnestly endeavoured, and still
 ‘do to the utmost of our Power, that all Parishes
 ‘may have learned, pious, and sufficient Preachers,
 ‘and all such Preachers competent Livings (6).

REM. (6). *The King complained that the Church of England was going to be destroyed to make room for Presbyterianism. The Parliament durst not say the contrary for fear of discouraging the Presbyterians, nor own it, because it was not yet Time to discover it openly. They endeavoured therefore to get off by using general Terms, which signify nothing, that is, they have resolved to place in every Parish good Ministers, and to provide for their Subsistence.*

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‘ Many other Bills and Propositions are in Preparation for the King’s Profit and Honour, the People’s Safety and Prosperity : In the Proceedings whereof we are much hindered by his Majesty’s Absence from the Parliament, which is altogether contrary to the use of his Predecessors, and the Privileges of Parliament, whereby our Time is consumed by a multitude of unnecessary Messages, and our Innocency wounded by causeless and sharp Invectives. Yet we doubt not but we shall overcome all this at last, if the People suffer not themselves to be deluded with false and specious Shews, and so drawn to betray us to their own undoing, who have ever been willing to hazard the undoing of our selves, that they might not be betrayed by our Neglect of the Trust reposed in us : But if it were possible they should prevail herein, yet we would not fail through God’s Grace still to persist in our Duties, and to look beyond our own Lives, Estates, and Advantages, as those who think nothing worth the enjoying, without the Liberty, Peace, and Safety of the Kingdom ; nor any Thing too good to be hazarded in discharge of our Consciences for the obtaining of it : And shall always repose our selves upon the Protection of Almighty God, which we are confident shall never be wanting to us (while we seek his Glory) as we have found it hitherto wonderfully going along with us in all our Proceedings.’

It was not long before the King answered this *Manifesto*. He had strong Reasons to prevent betimes the Impressions it might make upon the Minds of the People. As a War was inevitable, the King and the Parliament were equally concerned to gain the People to their Side, and for this these *Papers* were intended. We have seen in the Parliament’s *Manifesto*, the Objections against the King reiterated, and we shall see in the King’s, the same Answers he had before given to each of the Articles. These two *Papers*

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pers then may be considered as a Recapitulation of whatever had been alledged *Pro* and *Con* in the Dispute between the King and the Parliament. Both flattered themselves that their Reasons were unanswerable, and proposed them with great Confidence. And it was not without Ground, since both Sides reasoning upon different Principles, each might be in the Right, according to their respective Suppositions.

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His MAJESTY'S Answer to a Book, entitled, The DECLARATION or REMONSTRANCE of the Lords and Commons of the 19th of May, 1642.

‘ IF we could be weary of taking any Pains for
 ‘ the Satisfaction of our People, and to undeceive
 ‘ them of those specious mischievous Infusions which
 ‘ are daily instilled into them, to shake and corrupt
 ‘ their Loyalty and Affection to us and our Govern-
 ‘ ment, after so full and ample Declarations of our
 ‘ Self and Intentions, and so fair and satisfactory An-
 ‘ swers to all such Matters as have been objected to
 ‘ us by a Major-part present of both Houses of Par-
 ‘ liament, we might well give over this Labour of
 ‘ our Pen, and sit still till it shall please God so to
 ‘ enlighten the Affections and Understandings of our
 ‘ good Subjects on our behalf (which we doubt not
 ‘ but that in his good Time he will do) that they
 ‘ may see our Sufferings are their Sufferings. But
 ‘ since, instead of applying themselves to the Me-
 ‘ thod proposed to us, of making such solid parti-
 ‘ cular Propositions as might establish a good Under-
 ‘ standing between us, or of following the Advice
 ‘ of our Council of *Scotland* (with whom they com-
 ‘ municate their Affairs) in forbearing all Means that
 ‘ might make the Breach wider and wound deeper ;
 ‘ they

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‘ they have chosen to pursue us with new Reproaches,
 ‘ or rather to continue and improve the old, by ad-
 ‘ ding and varying little Circumstances and Lan-
 ‘ guage, in Matters formerly urged by them, and fully
 ‘ answered by us. We prevailed with our Self upon
 ‘ very mature and particular Consideration of it, to
 ‘ answer the late printed Book, intituled, *A Declaration*
 ‘ *or Remonstrance of the Lords and Commons*, which was
 ‘ ordered the 19th of *May* last, to be printed and pub-
 ‘ lished, hoping then that they would put us to no
 ‘ more of this Trouble, but that that should have been
 ‘ the last of such a Nature they would have com-
 ‘ municated to our People, and that they would not,
 ‘ as they have done since, thought fit to assault us
 ‘ with a newer Declaration, indeed of a very new
 ‘ Nature and Learning, which must have another
 ‘ Answer (1). And we doubt not but that our good
 ‘ Subjects in a short Time will be so well instructed
 ‘ in the Differences and Mistakings between us, that
 ‘ they will plainly discern, without resigning their
 ‘ Reason and Understanding to our Prerogative, or
 ‘ the Infallibility of a now Major-part of both Hou-
 ‘ ses of Parliament (infected by a few malignant Spi-
 ‘ rits) where the Fault is (2).

‘ Though we shall with Humility and Alacrity
 ‘ be always forward to acknowledge the infinite
 ‘ Mercy and Providence of Almighty God, vouchsaf-
 ‘ ed so many several ways to our Self and this Nation,
 ‘ yet since God himself doth not allow that we should
 ‘ fancy and create Dangers to our Self, that we might

REMARK (1). *This was another Declaration of the second of June, from whence it may be inferred that this Answer of the Kings to the first was not published till after that Time.*

REM. (2). *The King begins in this Paper to represent the Resolutions of the Parliament, not as being agreeable to the Sentiments of the Nation, but as coming only from a disaffected Party which prevailed in both Houses.*

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manifest and publish his Mercy in our Deliverance, we must profess we do not know those Deliverances mentioned in the beginning of that Declaration, from so many wicked Plots and Designs since the beginning of this Parliament, which if they had taken effect, would have brought Ruin and Destruction on this Kingdom. We well know the great Labour and Skill hath been used to amaze and affright our good Subjects with Fears and Apprehensions of Plots and Conspiracies, the several Pamphlets published, and Letters scattered up and down full of such ridiculous contemptible Animadversions to that purpose, as (though they found, for what end God knows, very unusual Countenance) no sober Man could be moved with them. But we must confess, we have never been able to inform our Self of any such pernicious formed Design against the Peace of this Kingdom, since the beginning of this Parliament, as is mentioned in that Declaration, or might be any Warrant to those great Fears, both our Houses of Parliament seem to be transported with; but we have great Cause to believe more Mischief and Danger hath been raised and begotten to the Disturbance of this Kingdom, than cured or prevented by those Fears and Jealousies. And therefore, however the Rumour and Discourse of Plots and Conspiracies may have been necessary to the Designs of particular Men, they shall do well not to pay any false Devotions to Almighty God, who discerns whether our Dangers are real or pretended.

For the bringing up the Army to *London*, as we have heretofore (by no other Direction than the Testimony of a good Conscience) called God to Witness, we never had, or knew any such Resolutions; so that upon the View of the Depositions now published with that Declaration, it is not evident to us, there was ever such a Design, unless every loose Discourse or Argument be instance enough

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‘ nough of such a Design (3). And it is apparent
 ‘ that what was said of it, was near three Months
 ‘ before the Discovery to both Houses of Parlia-
 ‘ ment : So that if there were any Danger threatned
 ‘ that way, it vanished without any Resistance or
 ‘ Prevention, by the Wisdom, Power, or Authority
 ‘ of them (4).

‘ It seems the Intention of that Declaration (what-
 ‘ soever other end it hath) is to answer a Declaration
 ‘ on they received from us, in answer to that which
 ‘ was presented to us at *New-Market* the 9th of
 ‘ *March* last ; and likewise to our Answer to the Pe-
 ‘ tition of both the Houses, presented to us at *Tork*,
 ‘ the 26th of *March* last. But before that Declara-
 ‘ tion falls upon any Particulars of our said Declara-
 ‘ tion or Answer, it complains, That the Heads of the
 ‘ malignant Party have, with much Art and Industry,
 ‘ advised us to suffer divers unjust Scandals and Im-
 ‘ putations upon the Parliament to be published in

REM. (3). *The King seems to vindicate himself but weakly upon this Article. His whole Answer lies in the Ambiguity of the Word Design, which may signify, either a bare Project, or a settled and formed Design. It is certain there was a Design or Project to bring up the Army to London, which the King knew of, and was proposed by Jermyn ; but no Resolution was taken thereupon. The King denies he knew of any such Resolution because indeed there was none taken. But he durst not deny that he was informed of the Design or Project. Wherefore, after having spoken of the Design in general he immediately changes the Word into that of Resolution. Charles I, was very skilfull in such sort of Ambiguities.*

REM. (4). *The Parliament insisted chiefly upon the King's Intention, and endeavoured to prove the Fact, in order to show this Intention. So it was not a Proof of the King's having no ill Intention, that the Design of reducing the Army, and bringing it up to London was pursued.*

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our Name, whereby they might make it odious to the People, and by their help destroy it: But not instancing any one Scandal or Imputation so published by us, we are still to seek for the Heads of the malignant Party. But our good Subjects will easily understand, That if we were guilty of that Aspersi^on, we must not only be active in raising the Scandal, but passive in the Mischief begotten by that Scandal, we being an essential Part of the Parliament (5): And we hope the just Defence of our Self and our Authority, and the necessary Vindication of our Innocence and Justice from the Imputation laid on us by a major-part then present by either or both Houses, shall no more be called a Scandal upon the Parliament, than the Opinion of such a part be reputed an Act of Parliament. And we hope our good Subjects will not be long misled by that common Expressi^on in all the Declarations, wherein they usurp the Word *Parliament*, and apply it to countenance any Resolution or Vote some few have a Mind to make, by calling it, *the Resolution of Parliament*, which can never be without our Consent; neither can the Vote of either, or both the Houses, make a greater alteration in the Laws of the Kingdom (so solemnly made by the Advice of their Predecessors, with the Concurrence of us and our Ancestors) either by commanding or inhibiting any Thing (besides the known Rules of the Law) that our single Direction or Mandate can do, to which we do ascribe the Authority (6).

‘ But

REM. (5). *This is only a Subtlety built upon the Ambiguity of the Word Parliament. In the Declaration which the King is answering, by the Term, Parliament, is meant both Houses, without including the King, and here the King means both Houses and the King together.*

REM. (6). *This Reason is invincible, supposing the Government in its natural State. But it could not make any Impression*

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‘ But that Declaration informs our People, that
 ‘ the malignant Party hath drawn us into the northern
 ‘ Parts far from our Parliament : It might more
 ‘ truly and properly have said, that it hath driven,
 ‘ than drawn us hither (7). For we confess our
 ‘ Journey hither (for which we have no other reason
 ‘ to be sorry, than with reference to the Cause of it)
 ‘ was only forced upon us by the true malignant
 ‘ Party, which contrived and countenanced those
 ‘ barbarous Tumults, and other seditious Circum-
 ‘ stances, of which we have so often complained,
 ‘ and hereafter shall say more, and which indeed
 ‘ threatens so much Danger to our Person, and laid
 ‘ so much Scandal upon the whole Privilege and Dig-
 ‘ nity of Parliament, that we wonder it can be
 ‘ mentioned without Blushes or Indignation : But of
 ‘ that anon. But why the malignant Party should
 ‘ be charged with causing a Press to be transported
 ‘ to *York*, we cannot imagine ; neither have any
 ‘ Papers or Writings issued from thence, to our
 ‘ Knowledge, but what have been extorted from us
 ‘ by such Provocations, as have not been before of-
 ‘ fered to a King. And no doubt it will appear a
 ‘ most trivial and fond Exception, when all Presses
 ‘ are open to vent whatsoever they think fit to say
 ‘ to the People, (a thing unwarranted by former
 ‘ Custom) that we should not make use of all the
 ‘ lawful Means to publish our just and necessary
 ‘ Answers thereunto. As for the Authority of the
 ‘ Great Seal, (though we do not know that it hath
 ‘ been necessary to things of this nature) the same
 ‘ shall be more frequently used hereafter, as occasion

Impression upon those who believed the King intended to establish an Arbitrary Power.

REM. (7). *The Parliament understood by the malignant Party the King's Party, and here the King gives the same Name to that of the Parliament.*

‘ shall

shall require (8); to which we make no doubt the greater and better Part of our Privy-Council will concur, and whose Advice we are resolved to follow, as far as it shall be agreeable to the Good and Welfare of the Kingdom.

Before that Declaration vouchsafes to insist on any Particulars, it is pleased to censure both our Declaration and Answer, to be filled with harsh Censures, and causeless Charges upon the Parliament (still misapplying the Word *Parliament* to the Vote of both Houses) concerning which they resolve to give Satisfaction to the Kingdom, since they find it very difficult to satisfy us. If, as in the Usage of the Word *Parliament*, they have left us out of their Thoughts; so by the Word *Kingdom*, they intend to exclude all our People, who are out of their Walls, (for that's grown another Phrase of the Time, the Vote of the Major-part of both Houses, and sometimes of one, is now called, *The Resolution of the whole Kingdom*) we believe it may not be hard to give Satisfaction to themselves; otherwise we are confident (and our Confidence proceeds from the Uprightness of our own Conscience) they will never be able so to sever the Affections of us and our Kingdom, that what cannot be Satisfaction to the one, shall be to the other. Neither will the Stile of *Humble and Faithful*, and telling us, *That they will make us a great and glorious King*, in their Petitions and Remonstrances, so deceive our good Subjects, that they will pass over the Reproaches, Threats and Menaces they are stuffed with, which sure could not be more gently reprehended by us, than by saying, Their Ex-

REM. (8). *The Parliament's Declaration was published the 19th of May, and Three Days after the Lord-Keeper Littleton went privately from London with the Great-Seal to the King. So the King had it in his Hands when he published his Answer. For this reason he says, the same shall be more frequently used hereafter.*

‘ pressions

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' expressions were different from the usual Language
 ' to Princes, which that Declaration tells you we
 ' had no occasion to say. But we believe, whoever
 ' looks over that Declaration presented to us at
 ' *Newmarket*, to which ours was an Answer, will
 ' find the Language throughout it to be so unusual,
 ' that, before this Parliament, it could never be
 ' paralleled, whilst under pretence of justifying their
 ' Fears, they give so much Countenance to the Dis-
 ' course of the Rebels of *Ireland*, as if they had a
 ' mind our good Subjects should give Credit to it;
 ' otherwise, being warranted by the same Evidence,
 ' which they have since published, they would have
 ' as well declared, That those Rebels publicly
 ' threaten the rooting out the Name of the *English*,
 ' and that they will have a King of their own, and
 ' no longer be governed by us; as that they say,
 ' they do nothing but by our Authority, and that
 ' they will call themselves *the Queen's Army*. And
 ' therefore we have great reason to complain of the
 ' Absence of Justice and Integrity in that Declara-
 ' tion, besides the Unfitness of other Expressions.
 ' Neither did we mistake the Substance or Logick of
 ' the Message to us at *Theobalds*, concerning the *Mi-*
 ' *litia*, which was no other, and is stated to be no
 ' other (even by that Declaration which reproved us)
 ' than a plain Threat, *That if we refused to join with*
 ' *them, they would make a Law without us*. Nor hath
 ' the Practice since that been other, which will never
 ' be justified to the most ordinary (if not partial)
 ' Understandings, by the mere averring it to be ac-
 ' cording to the fundamental Laws of this King-
 ' dom, without giving any Direction, that the most
 ' cunning and learned Men in the Laws may be able
 ' to find those Foundations (9). And we must ap-

' peal

REM. (9). *There is here an Ambiguity in the Term*
Fundamental Law. The Parliament had clearly ex-
pressed what they meant by this fundamental Law, viz.

‘ peal to all the World, whether they might not with
 ‘ as much Justice, and by as much Law, have seized
 ‘ upon the Estates of every Member of both the
 ‘ Houses, who dissented from that pretended Ordi-
 ‘ nance, (which much the major Part of the House
 ‘ of Peers did two or three several times) as they
 ‘ have invaded that Power of ours over the *Militia*,
 ‘ because we (upon Reasons they have not so much
 ‘ as pretended to answer) refuse to consent to that
 ‘ Proposition : (10)

*if the King failed in the Discharge of his Duty, the Na-
 tion ought not however to be without Defence, and in that
 case it was the Parliament's Business to take care of it.
 Instead then of asking where this Law was, it seems
 that the King should have shown either that, although he
 should neglect his Duty, it belonged not to the Parliament
 to meddle with the Government of the State, or that he
 never had, nor did still neglect the same. For according to
 the Parliament, though this Law was not expressed in
 any particular Statute, it followed of Course from the Con-
 stitution of the Government. The King seems, by requiring
 this Law to be produced, to insinuate that the Parliament
 in no case whatever could intermeddle with the Govern-
 ment of the State, unless authorized thereto by an express
 Law; and yet the Parliament had alledged two Cases,
 namely, the Captivity and Nonage of a King, wherein
 they might have the Management of the Government, and
 they reckoned the King's Negligence in the same Class.
 To this the King should have returned an Answer.*

REM. (10). *The Authority the Parliament assumed,
 was not an ordinary Authority, neither did they pretend
 it to be so. It was extraordinary for the present supposed
 Case that there was great Danger from the King. As
 therefore they had not the same Suspicions against those
 who had at first refused their Consent to the Ordinance,
 they could not seize their Goods upon the same Foundation.
 Thus the Consequences drawn by the King from the Par-
 liament's Usurpation does not seem well-grounded.*

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‘ And if no better Effects than Loss of Time,
‘ and Hindrance of the publick Affairs, have been
‘ found by our Answers and Replies, let all good
‘ Men judge, by whose Default, and whose want of
‘ Duty such Effects have been : For as our End (in-
‘ deed only End) in those Answers and Replies hath
‘ been the Settlement and Composure of publick
‘ Affairs, so we are assured, and most Men do be-
‘ lieve, That if due Regard and Reverence had been
‘ given to our Words, and that Consent and Obedience
‘ to our Counsels, which we did expect, there had
‘ been before this time a chearful Calm upon the
‘ Face of the whole Kingdom, every Man enjoying
‘ his own, with all possible Peace and Security that
‘ can be imagined ; which surely those Men do not
‘ desire, who (after all those Acts of Justice and
‘ Favour passed by us in this Parliament, all those
‘ Affronts and Sufferings endured and undergone by
‘ us) think fit still to reproach us with Ship-Money,
‘ Coat and Conduct-Money, and other things so a-
‘ bundantly declared (as that Declaration itself con-
‘ fesses) in the general Remonstrance of the State
‘ of the Kingdom, published in *November* last, which
‘ we wonder to find now avowed to be the Remon-
‘ strance of both the Houses, and which we assure
‘ was presented to us only by the House of Com-
‘ mons ; and did never, and we are confident, in
‘ that time could never have passed the House of
‘ Peers ; the Concurrence and Authority of which
‘ was not then thought necessary. Shall we believe
‘ those Reproaches to be the Voice of the People of
‘ *England* ? That all our loving Subjects eased, re-
‘ freshed, strengthened, and abundantly satisfied with
‘ our Acts of Grace and Favour towards them, are
‘ willing to be involved in these unthankful Expres-
‘ sions ? We must appeal to the Thanks and Ac-
‘ knowledgments published in the Petitions of most
‘ of the Counties of *England*, to the Testimony
‘ and Thanks we have received from both Houses
‘ of Parliament, how seasonable, how agreeable
‘ this

‘ this Usage of us is to our Merit, or their former
‘ Expressions.

‘ We have not in the least swerved or departed
‘ from our Resolution, or Words, in the Begin-
‘ ning of this Parliament. We said, we were re-
‘ solved to put our Self freely and clearly upon the
‘ Love and Affection of our *English* Subjects; and
‘ we say so still, as far as concerns *England* And
‘ we call Almighty God to witness all our Com-
‘ plaints and Jealousies, which have never been cause-
‘ less, not out of our Houses of Parliament, (but
‘ of some few schismatical, factious and ambitious
‘ Spirits, and upon such Grounds, as short time, we
‘ fear, will justify to the World) our denial of the
‘ *Militia*, our absenting our Self from *London*, have
‘ been the Effects of an upright and faithful Affec-
‘ tion to our *English* Subjects, that we may be able
‘ (through all the Inconveniencies we are compelled
‘ to wrestle with) at last to preserve and restore their
‘ Religion, Laws and Liberties unto them.

‘ Since the Proceedings against the Lord *Kim-*
‘ *bolton*, and the Five Members, is still looked upon
‘ and so often pressed as so great an Advantage against
‘ us, that no Retraction made by us, nor no Ac-
‘ tions since that time committed against us, and the
‘ Law of the Land, under the Pretence of Vindica-
‘ tion of Privilege, can satisfy the Contrivers of that
‘ Declaration, but that they would have our good
‘ Subjects believe, the Accusation of those Six Mem-
‘ bers must be a Plot for the breaking the Neck of
‘ the Parliament, (a strange Arrogance, if any of
‘ those Members had the Penning of that Declara-
‘ tion) and that it is so often urged against us, as if
‘ by that single casual Mistake of ours (in Form
‘ only) we had forfeited all Duty, Credit and Al-
‘ legiance from our People; we must, without en-
‘ deavouring to excuse that, *which in Truth was an*
‘ *Error*, (our going to the House of Commons) give
‘ our People a clear and full Narration of the Mat-
‘ ter of Fact, assuring our Self, that our good Sub-
‘ jects

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jects will not find our Carriage in that Business such as hath been reported.

When we resolved upon such Grounds, as when they shall be published, will satisfy the World, that it was fit for our own Safety and Honour, and the Peace of the Kingdom, to proceed against those Persons (11); though we well know there was no Degree of Privilege in that case, yet (to shew our Desire of Correspondency with the two Houses of Parliament) we chose, rather than to apprehend their Persons by the ordinary Ministers of Justice, (which, according to the Opinion and Practice of former Times, we might have done) to command our Attorney-General to acquaint our House of Peers with our Intention, and the general Matter of our Charge, (which was yet more particular than a mere Accusation) and to proceed accordingly; and at the same time sent a sworn Servant, a Serjeant at Arms to our House of Commons, to acquaint them, That we did accuse, and intended to prosecute the Five Members of that House for High-Treason, and did require that their Persons might be secured in Custody. This we did, not only to shew that we intended not to violate or invade their Privileges, but to use more Ceremony towards them, than we then conceived in Justice might be required of us; and expected at least such an Answer as might inform us, if we were out of the way: But we received none at all; only in the Instant, without offering any thing of their Pri-

RE M. (11). *I have already said, that the Parliament took Offence chiefly that the Articles of the Accusation exhibited by the Attorney-General struck at the whole House of Commons, and a great Number of Lords, as much as at the Persons accused. Here the King maintains the Matter of the Accusation, since it was for the Peace of the Kingdom, and passes over in Silence the Reasons that he reserved for another Time, and thereby his Vindication could not be full and complete.*

‘vileges

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' vileges to our Consideration, an Order was made,
 ' (and the same Night published in Print) That if
 ' any Person whatsoever should offer to arrest the
 ' Person of any Member of that House, without
 ' first acquainting that House therewith, and receiving
 ' further Orders from that House, that it should be
 ' lawful for such Members, or any Person to resist
 ' them, and to stand upon his, or their Guard of
 ' Defence, and to make Resistance according to the
 ' Protestation taken to defend the Privileges of Par-
 ' liament. And this was the first time that we heard
 ' the Protestation might be wrested to such a Sense ;
 ' or that in any case (though of the most undoubted
 ' and unquestionable Privilege) it might be lawful
 ' for any Person to resist, and use Violence against a
 ' publick Minister of Justice, armed with lawful
 ' Authority, though we well knew, that even such
 ' a Minister might be punished for executing such Au-
 ' thority.

' Upon viewing this Order, we must confess
 ' we were somewhat amazed, having never seen or
 ' heard of the like, though we had known Mem-
 ' bers of either House committed without so much
 ' Formality as we have used, and upon Crimes of a
 ' far inferiour Nature to those we had suggested ;
 ' and having no Course proposed to us for our Pro-
 ' ceeding, we were upon that Matter only told,
 ' That against those Persons we were not to proceed
 ' at all : That they were above our Reach, or the
 ' Reach of the Law. It was then not easy for us
 ' to resolve what to do (12). If we employed our
 ' Ministers of Justice in the usual way for their Ap-

REM. (12). *This is a little disguised. The King was
 not told that these Members were above the Reach of the
 Laws : but only that the Parliament sitting, the Mem-
 bers could not be imprisoned without the Consent of their
 House, and that it was expected the Grounds of the Ac-
 cusation should be made known in order to this Consent.*

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‘ apprehension, (who without doubt would not have
 ‘ refused to execute our lawful Commands) we saw
 ‘ what Resistance and Opposition was like to be
 ‘ made, which very probably might cost some Blood.
 ‘ If we fate still, and desisted upon this Terror, we
 ‘ should at the best have confessed our own Want of
 ‘ Power, and the Weakness of the Law. In this
 ‘ Strait we put on a sudden Resolution to try whether
 ‘ our own Presence, and a clear Discovery of our
 ‘ Intentions (which haply might not have been so
 ‘ well understood) could remove those Doubts, and
 ‘ prevent those Inconveniencies which seemed to have
 ‘ been threatned; and thereupon we resolved to go
 ‘ in our own Person to our House of Commons,
 ‘ which we discovered not till the very Minute of
 ‘ our going; when we sent our Orders, That our
 ‘ Servants, and such Gentlemen as were then in our
 ‘ Court, should attend us to *Westminster*: But giving
 ‘ them expresse Command (as we have expressed in
 ‘ our Answer to the Ordinance) that no Accidents
 ‘ of Provocation should draw them to any such Ac-
 ‘ tion as might imply a Purpose of Force in us; and
 ‘ our Self (requiring those of our Train not to come
 ‘ within the Door) went into the House of Com-
 ‘ mons: The bare doing of which, we did not then
 ‘ conceive would have been thought more a Breach
 ‘ of Privilege, than if we had gone to the House of
 ‘ Peers, and sent for them to come to us, which is
 ‘ the usual Custom. We used the best Expressions
 ‘ we could, to assure them how far we were from
 ‘ any Intention of violating their Privileges; that we
 ‘ intended to proceed legally and speedily against the
 ‘ Persons we accused, and desired therefore, if they
 ‘ were in the House, that they might be delivered
 ‘ to us; or if absent, that such a Course might be
 ‘ taken for their forth-coming, as might satisfy our
 ‘ just Demands: and so we departed, having no other
 ‘ purpose of Force, if they had been in the House,
 ‘ than we have before protested before God, in our
 ‘ Answer to the Ordinance. You have an account

‘ of our part of this Story fully, let our People
 ‘ judge freely of it. What followed on their Part,
 ‘ (though this Declaration tells you, *it could not with-*
 ‘ *draw any part of their Reverence and Obedience from*
 ‘ *us*; it may be any part of theirs it did not) we
 ‘ shall have too much Cause hereafter to inform the
 ‘ World.

‘ There will be no end of this Discourse, and of
 ‘ upbraiding us with evil Counsellors, if upon our
 ‘ constant Denial of knowing any, they will not
 ‘ vouchsafe to inform us of them; and after Eight
 ‘ Months amusing the Kingdom with the Expecta-
 ‘ tion of a Discovery of a malignant Party, and of
 ‘ evil Counsellors, they will not at last name any,
 ‘ nor describe them. Let the Actions and Lives of
 ‘ Men be examined, who have contrived, counselled,
 ‘ actually consented to grieve and burden our Peo-
 ‘ ple: And if such be about us, or any against whom
 ‘ any notorious malicious Crime can be proved; if
 ‘ we shelter and protect any such, let our Injustice be
 ‘ published to the World: But till that be done, par-
 ‘ ticularly and manifestly, (*for we shall never conclude*
 ‘ *any Man, upon a bare general Vote of the major Part*
 ‘ *of either, or both Houses, till it be evident that major*
 ‘ *Part be without Passion or Affection*) we must look
 ‘ upon the Charge this Declaration puts on us, of
 ‘ cherishing and countenancing a discontented Party
 ‘ of the Kingdom against them, as a heavier and
 ‘ unjust Tax upon our Justice and Honour, than
 ‘ any we have, or can lay upon the Framers of that
 ‘ Declaration (13). And now to countenance those
 ‘ unhandsome Expressions, whereby usually they
 ‘ have implied our Connivance at, or want of Zeal
 ‘ against the Rebellion of *Ireland*, (so odious to all
 ‘ good Men) they have found a new way of Expro-
 ‘ bration; *That the Proclamation against those bloody*

REM. (13). *With such Restrictions one may dispute
 for ever: For who should be judge whether the major
 Part of the House were without Passion or Prejudice?*

1642. ‘ Traytors came not out till the Beginning of January,
 ‘ though that Rebellion broke out in October; and then
 ‘ by special Command from us, but Forty Copies were
 ‘ appointed to be printed. It is well known where we
 ‘ were at that time, when that Rebellion brake forth
 ‘ in Scotland; That we immediately from thence re-
 ‘ commended the Care of that Business to both
 ‘ Houses of Parliament here, after we had provided
 ‘ for all fitting Supplies from our Kingdom of Scot-
 ‘ land: That after our Return hither, we observed
 ‘ all those Forms for that Service, which we were ad-
 ‘ vised to by our Council of Ireland, or both Houses
 ‘ of Parliament here; and if no Proclamations issued
 ‘ out sooner, (of which for the present we are not
 ‘ certain, but think that others before that time
 ‘ were issued by our Direction) it was because the
 ‘ Lords Justices of the Kingdom desired them no
 ‘ sooner, and when they did, the Number they de-
 ‘ sired was but Twenty, which they advised might
 ‘ be signed by us; which we for Expedition of the
 ‘ Service, commanded to be printed, (a Circumstance
 ‘ not required by them) thereupon we signed more
 ‘ than our Justices desired. All which was very
 ‘ well known to some Members of one or both
 ‘ Houses of Parliament, who have the more to an-
 ‘ swer, if they forbore to express it at the passing of
 ‘ this Declaration: And if they did express it, we
 ‘ have the greater Reason to complain, that so en-
 ‘ vious an Aspersion should be cast on us to our Peo-
 ‘ ple, when they knew well how to answer their own
 ‘ Objection. (14)

‘ What that Complaint is against the Parlia-
 ‘ ment, put forth in our Name, which is such an
 ‘ Evidence and Countenance to the Rebels, and

REM. (14). *This Answer appears somewhat weak; for supposing Forty Copies would have been sufficient for Ireland, why was not the Proclamation published in England? The King returns no Answer to what the Parliament said in the Proclamation against the Scots.*

‘ speaks

‘ speaks the same Language of the Parliament which
‘ the Rebels do, we cannot understand. All our
‘ Answers and Declarations have been, and are
‘ owned by us, and have been attested under our
‘ own Hand; if any other had been published in our
‘ Name, and without our Authority, it would be
‘ easy for both Houses of Parliament to discover and
‘ apprehend the Authors. And we wish, that who-
‘ soever was trusted with the drawing and penning
‘ of that Declaration, had no more Authority or
‘ Cunning to impose upon, or deceive the major
‘ Part of those Votes by which it passed, than any
‘ Man hath to prevail with us to publish in our Name
‘ any thing but the Sense and Resolution of our own
‘ Heart: Or, that the Contriver of that Declaration
‘ could, with as good a Conscience, call God to
‘ witness, That all his Counsels and Endeavours
‘ have been free from all private Aims, personal
‘ Respects or Passions whatsoever, as we have done
‘ and do, that we never had or knew of any such
‘ Resolution of bringing up the Army to *London*.
‘ And since this new Device is found out, instead of
‘ answering our Reasons, or satisfying our just De-
‘ mands, to blast our Declarations and Answers, as
‘ if they were not our own (a bold senseless Imputa-
‘ tion) we are sure, that every Answer and Decla-
‘ ration published by us, is much more our own,
‘ than any one of those bold, threatening and reproach-
‘ ful Petitions and Remonstrances are the Acts of
‘ either, or both Houses. And if the Penner of
‘ that Declaration had been careful of the Trust re-
‘ posed in him, he would never have denied, (and
‘ thereupon found fault with our just Indignation)
‘ in the Text or Margin, that we never had been
‘ charged with the Intention of any Force: and that
‘ in their whole Declaration there is no word tend-
‘ ing to such a Reproach: the contrary whereof is
‘ so evident, that we are in expresse Terms charged
‘ in that Declaration, That we sent them gracious
‘ Mes-

1642.

‘ Traytors came not out till the Beginning of January,
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 ‘ by special Command from us, but Forty Copies were
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 ‘ vised to by our Council of Ireland, or both Houses
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 ‘ certain, but think that others before that time
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 ‘ sired was but Twenty, which they advised might
 ‘ be signed by us; which we for Expedition of the
 ‘ Service, commanded to be printed, (a Circumstance
 ‘ not required by them) thereupon we signed more
 ‘ than our Justices desired. All which was very
 ‘ well known to some Members of one or both
 ‘ Houses of Parliament, who have the more to an-
 ‘ swer, if they forbore to express it at the passing of
 ‘ this Declaration: And if they did express it, we
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' Name, and without our Authority, it would be
' easy for both Houses of Parliament to discover and
' apprehend the Authors. And we wish, that who-
' soever was trusted with the drawing and penning
' of that Declaration, had no more Authority or
' Cunning to impose upon, or deceive the major
' Part of those Votes by which it passed, than any
' Man hath to prevail with us to publish in our Name
' any thing but the Sense and Resolution of our own
' Heart: Or, that the Contriver of that Declaration
' could, with as good a Conscience, call God to
' witness, That all his Counsels and Endeavours
' have been free from all private Aims, personal
' Respects or Passions whatsoever, as we have done
' and do, that we never had or knew of any such
' Resolution of bringing up the Army to *London*.
' And since this new Device is found out, instead of
' answering our Reasons, or satisfying our just De-
' mands, to blast our Declarations and Answers, as
' if they were not our own (a bold senseless Imputa-
' tion) we are sure, that every Answer and Decla-
' ration published by us, is much more our own,
' than any one of those bold, threatening and reproach-
' ful Petitions and Remonstrances are the Acts of
' either, or both Houses. And if the Penner of
' that Declaration had been careful of the Trust re-
' posed in him, he would never have denied, (and
' thereupon found fault with our just Indignation)
' in the Text or Margin, that we never had been
' charged with the Intention of any Force: and that
' in their whole Declaration there is no word tend-
' ing to such a Reproach: the contrary whereof is
' so evident, that we are in expresse Terms charged
' in that Declaration, That we sent them gracious
' Mes-

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‘ Messages, when, with our Privy, bringing up the
 ‘ Army was in Agitation. And even in this De-
 ‘ claration they seek to make our People believe
 ‘ some such thing to be proved in the Depositions
 ‘ now published, wherein we doubt not, they will
 ‘ as much fail, as they do in their Censure of that
 ‘ Petition shewed formerly to us by Captain *Legg*,
 ‘ and subscribed by us with C. R. which, not-
 ‘ withstanding our full and particular Narration of
 ‘ the Substance of that Petition, the Circumstances
 ‘ of our seeing and approving it, this Declaration
 ‘ is pleased to say, was full of Scandal to the Par-
 ‘ liament, and might have proved dangerous to
 ‘ the whole Kingdom. If they have this dangerous
 ‘ Petition in their Hands, we have no reason to
 ‘ believe any Tenderness to us-ward hath kept them
 ‘ from communicating it: If they have it not, we
 ‘ ought to have been believed. But that all good
 ‘ People may compute their other pretended Dan-
 ‘ gers by their clear Understanding of this, the
 ‘ Noise whereof hath not been inferior to any of
 ‘ the rest. We have recovered a true Copy of
 ‘ the very Petition we signed with C. R. which
 ‘ shall in fit time be published; and which we hope
 ‘ will open the Eyes of our good Subjects (15).
 ‘ Concerning our Warrant for Mr *Fermin*’s Pas-
 ‘ sage, our Answer was true and full: But for his
 ‘ black Sattin Suit, and white Boots, we can give
 ‘ no account.

REM. (15). *This whole Article of the Answer
 seems very weak, since the King’s Defence consists only
 of his own Testimony. There could not be a more
 proper Occasion to publish this Petition, of which he
 said he had a true Copy. But in putting off the Pub-
 lication to a more convenient Time, he gave room to
 suspect, there were some things in the Petition which
 were not favourable to him.*

‘ We

‘ We complained in our Declaration, and as often
‘ as we have Occasion to mention our Return and
‘ Residence near *London*, we shall complain of the
‘ barbarous and seditious Tumults at *Westminster* and
‘ *Whitehall*, which indeed were so full of Scandal to
‘ our Government, and Danger to our Person, that
‘ we shall never think of our Return thither, till we
‘ have Justice for what is past, and Security for the
‘ Time to come. And if there were so great a Ne-
‘ cessity, or Desire of our Return as is pretended, in
‘ all this time upon so often pressing our Desires,
‘ and upon Causes so notorious, we should at least
‘ have procured some Order for the future. But
‘ that Declaration tells us, we are upon the Matter
‘ mistaken ; The Resort of the Citizens to *Westmin-*
‘ *ster* was as lawful as the Resort of great Numbers
‘ every Day in the Term to the ordinary Courts of
‘ Justice. They knew no Tumults. Strange ! Was
‘ the disorderly Appearance of so many Thousand
‘ People with Staves and Swords, crying through
‘ the Streets, *Westminster-Hall*, the Passages between
‘ both Houses, (insomuch as the Members could
‘ hardly pass too and fro) *No Bishops, down with the*
‘ *Bishops* ; no Tumults ! What Member is there of
‘ either House that saw not those Numbers, and
‘ heard not those Cries ? And yet lawful Assem-
‘ blies ! Were not several Members of either House
‘ assaulted, threatened and ill treated ? and yet no
‘ Tumults ! Why made the House of Peers a De-
‘ claration, and sent it down to the House of Com-
‘ mons for the suppressing of Tumults, if there were
‘ no Tumults ? And if there were any, why was not
‘ such a Declaration consented to and published ?
‘ When the Attempts were so visible, and the Threats
‘ so loud to pull down the Abby at *Westminster*, had
‘ we not just Cause to apprehend, that such People
‘ might continue their work to *Whitehall* ? Yet no Tu-
‘ mults ! What a strange Time are we in ! That a few
‘ impudent, malicious (to give them no worse Term)
‘ Men, should cast such a strange Mist of Error be-
‘ fore

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‘ fore the Eyes of both Houses of Parliament, as
 ‘ that they either cannot, or will not see how mani-
 ‘ festly they injure themselves by maintaining these
 ‘ visible Untruths? We say no more. By the help
 ‘ of God, and the Law, we will have Justice for
 ‘ those Tumults (16).

‘ From excepting (how weightily let every Man
 ‘ judge) to what we have said, that Declaration pro-
 ‘ ceeds to Censure us for what we have not said, for
 ‘ the prudent Omissions in our Answer: We forbore
 ‘ to say any Thing of the Words spoken at *Kensington*,
 ‘ or the Articles against our dearest Consort,
 ‘ and of the Accusation of the six Members: Of the
 ‘ last we had spoken often, and we thought enough
 ‘ of the other two; having never accused any (tho’
 ‘ God knows what Truth there might be in either)
 ‘ we had no reason to give any particular Answer.

‘ We do not reckon our Self bereaved of any part
 ‘ of our Prerogative, which we are pleased freely to
 ‘ part with by Bill; yet we must say, we expressed
 ‘ a great Trust in our two Houses of Parliament,
 ‘ when we divested our Self of the Power of dissolving
 ‘ this Parliament, which was a just, necessary, and
 ‘ proper Prerogative: But we are glad to hear their
 ‘ Resolution, that it shall not encourage them to do
 ‘ any Thing, which otherwise had not been fit to
 ‘ have been done; if it do, it will be such a Breach

REM. (16). *The Parliament’s Declaration alledged two Things upon this Article; First, That the Concourse of People at Westminster was no Tumult. Secondly, That the King’s Person was in no manner of Danger, since on the Morrow he went through the City without a Guard, and moreover staid several Days at Whitehall in Safety. The King answers here to the first of these Things, and leaves the other without Reply. Only he draws a Consequence that Whitehall was in Danger, because the People threatened to pull down Westminster-Abbey, a Circumstance which no where appears in the Accounts of these Tumults,*

‘ of

of Trust, as God will require an Account for at their Hands.

For the *Militia*, we have said so much of it heretofore, and the Point is so well understood by all Men, that we will waste Time no more in that Dispute. We never said there was no such Thing as an Ordinance, (though we know that they have been long disused) but there never was any Ordinance, or can be without the King's Consent; and that is true, and the unnecessary Precedent cited in that Declaration doth not offer to prove the contrary. But enough of that, God and the Law must determine that Business.

Neither hath this Declaration given us any Satisfaction concerning the Votes of the 15th and 16th of *March* last, which we must declare, and appeal to all the World in the Point, to be the greatest Violation of our Privilege, the Law of the Land, the Liberty of the Subject, and the Right of Parliament, that can be imagined. One of these Votes is (and there needs no other to destroy the King and People) *That when the Lords and Commons* (it is well the Commons are admitted to their Part in Judicature) *shall declare what the Law of the Land is, the same must be assented unto, and obeyed*; that is the Sense in a few Words. Where is every Man's Property; every Man's Liberty? If a major-part of both Houses declare that the Law is, that the younger Brother shall inherit, what is become of all the Families and Estates of the Kingdom? If they declare that by the Fundamental Law of the Land, such a rash Action, such an unadvised Word ought to be punished with perpetual Imprisonment, is not the Liberty of the Subject, *durante placito*, remediless? That Declaration confesseth, They pretend not to Power of making new Laws, that without us they cannot do that. They need no such Power, if their Declaration can suspend this Statute from being obeyed or executed, and make this Order, which is no Statute, to be obeyed and executed.

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' executed. If they have Power to declare the Lord
 ' Digby waiting on us to *Hampton-Court*, and thence
 ' visiting some Officers at *Kingston*, with a Coach
 ' and six Horses, to be a levying of War and High-
 ' Treason; and Sir *John Hotham's* defying us to our
 ' Face, keeping our Town and Fort and Goods a-
 ' gainst us by Force of Arms, to be an Act of Af-
 ' fection and Loyalty, what needs a Power of ma-
 ' king new Laws? Or is there such a Thing as Law
 ' left? We desire our good Subjects to mark the
 ' Reason and Consequence of these Votes, the Pro-
 ' gress they have already made, and how infinite that
 ' Progress may be. First, they vote the Kingdom
 ' is in imminent Danger, (it is above three Months
 ' since they discerned it) from Enemies abroad, and
 ' and a Popish and discontented Party at Home:
 ' That is Matter of Fact, the Law follows. This
 ' Vote hath given them Authority by Law (the
 ' Fundamental Laws of the Kingdom) to order and
 ' dispose of the *Militia* of the Kingdom, and with
 ' this Power, and to prevent that Danger, to enter
 ' into our Towns, seize upon our Magazine, and by
 ' Force keep both from us. Is not this our Case?
 ' First, They vote we have an Intention to levy
 ' War against our Parliament *, that is Matter of
 ' Fact: Then they declare, such as shall assist us,
 ' to be guilty of High-Treason; that is the Law,
 ' and proved by two Statutes themselves known to be
 ' repealed: No Matter for that, they declare it,
 ' upon this Ground they exercise the *Militia*, and so
 ' actually do that upon us, which they have voted
 ' we intend to do upon them. Who doth not see
 ' the Confusion that must follow upon such a Power
 ' of declaring? If they should now Vote, that we
 ' did not write this Declaration, but that such an one
 ' did it, which is still Matter of Fact; and then de-
 ' clare that for so doing he is an Enemy to the Com-
 ' mon-

* These Votes passed in the Interval between the Publication of the Parliament's Declaration, and that of the King's Answer.

mon-wealth : What is become of the Law that Man was born to? And if all their Zeal for the Defence of the Law, be but to defend that which they declare to be Law, their own Votes, it will not be in their Power to satisfy any Man of their good Intentions to the Publick Peace, but such who are willing to relinquish their Titles to *Magna Charta* and hold their Lives and Fortunes by a Vote of a major-part of both Houses. In a Word, we deny not but that they may have Power to declare in a particular doubtful Case, regularly brought before them, what Law is; but to make a general Declaration, whereby the known Rule of the Law may be crossed or altered, they have no Power, nor can exercise any, without bringing the Life and Liberty of the Subject to a lawless and arbitrary Subjection (17).

We complained, (and let the World judge of the Justice and Necessity of that Complaint) of the Multitude of seditious Pamphlets and Sermons. And that Declaration tells, They know we have ways enough in our ordinary Courts of Justice to punish those; so we have to punish Tumults and Riots, and yet they will not serve our turn to keep our Towns, our Forests and Parks from Violence*. And it may be, though those Courts have still the

RE M. (17). *It must needs have been a great Mortification to the King, to be forced to show by such good Arguments, the Mischiefs that flow from Arbitrary Power. The same Reasons the King used to demonstrate that Arbitrary Power was the natural Consequence of the Parliament's Maxims, served to prove that it was equally hazardous to leave, not every King of England, but Charles I. in particular, invested with the Authority allowed him by the Laws, considering the use he had already made of that Power.*

* This alludes to a Disturbance which happened in the Park and Forest of Windsor.

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‘ Power to punish, They may have lost the Skill
 ‘ to define what Riots and Tumults are ; otherwise
 ‘ a Jury in *Southwark*, legally impannelled to exa-
 ‘ mine a Riot there, would not have been superse-
 ‘ ded, and the Sheriff enjoined not to proceed, by
 ‘ Virtue of an Order of the House of Commons,
 ‘ which it seems at that Time had the sole Power of
 ‘ declaring. But it is no wonder that they who
 ‘ could not see the Tumults, do not consider the
 ‘ Pamphlets and Sermons, though the *Author of the*
 ‘ *Protestation protested*, be well known to be *Burton*
 ‘ (that infamous Disturber of the Peace of this
 ‘ Church and State) and that he preached it at *West-*
 ‘ *minster*, in the hearing of divers Members of the
 ‘ House of Commons : But of such Pamphlets, and
 ‘ seditious Preachers (divers whereof have been re-
 ‘ commended, if not imposed upon several Parishes,
 ‘ by some Members of both Houses, by what Au-
 ‘ thority we know not) we shall hereafter take a
 ‘ further Account (18).

‘ We confess we have little Skill in the Laws,
 ‘ and those that have had most, we find now are
 ‘ much to seek : Yet we cannot understand or be-
 ‘ lieve, that every ordinary Court, or any Court
 ‘ hath Power to raise what Guard they please ; and
 ‘ under what Command they please ; neither can we
 ‘ imagine what dangerous Effects they found by the

REM. (18). *These Sermons contained, for the most part, the Maxims which the Parliament would have established, or pretended to be agreeable to the Laws ; but which the King looked upon as Seditious, and for that Reason he would have it that the Parliament ought to punish the Authors. This infamous Burton was the same whose Ears were cut off by the Star-Chamber, and who was banished to Guernsey, for publishing a Treatise against the Church of England. It seems here, that the King was not pleased with the Parliament’s reversing his Sentence.*

‘ Guard

‘ Guard we appointed them, or (indeed) any the
‘ least occasion why they needed any Guard at all.

‘ But upon all the Imputations so causelessly and
‘ unjustly laid upon us by that Declaration, we must
‘ wonder at that Charge so apparently and evidently
‘ untrue, That such are continually preferred and
‘ countenanced by us, who are Friends or Favourers
‘ or related to the chief Authors and Actors of that
‘ Arbitrary Power heretofore practiced or complained
‘ of. And on the other Side, that such as did appear
‘ against it, are daily discountenanced and disgraced.
‘ We would know one Person that contributed to
‘ the Ills of those Times, or had dependency upon
‘ those that did, whom we do, or lately have coun-
‘ tenanced or preferred. Nay, we are confident
‘ (and we look for no other at their Hands) as they
‘ have been most eminent Assertors of the Publick
‘ Liberties ; so, if they found us inclined to any
‘ Thing not agreeable to Honour and Justice, they
‘ would leave us to Morrow : Whether different Per-
‘ sons have not, and do not receive Countenance else-
‘ where, and upon what Grounds, let all Men judge ;
‘ and whether we have not been forward enough to
‘ Honour and prefer those of the most contrary Opini-
‘ on, how little Comfort soever we have had of
‘ those Preferments ; in bestowing of which hereaf-
‘ ter we shall be more guided by Men’s Actions and
‘ Opinions. And therefore we had good Cause to
‘ bestow that Admonition (for we assure you it
‘ was an Admonition of our own) upon both our
‘ Houses of Parliament, to take heed of inclining
‘ (under the specious shews of Necessity and Dan-
‘ ger) to the Exercise of such an Arbitrary Power
‘ they before complained of : The Advice will do
‘ no harm, and we shall be glad to see it followed.

‘ And are all the specious Promises, and loud Pro-
‘ fessions of making us a great and glorious King,
‘ of settling a greater Revenue upon us than any of
‘ our Ancestors have enjoyed ; of making us to be
‘ honoured at home, and feared abroad ; resolved

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‘ into this, that they will be ready to settle our Revenue in an honourable Proportion, when we shall put our Self in such Posture of Government that our Subjects may be secure, to enjoy our just Protection for their Religion, Laws, and Liberties? What Posture of Government they intend we know not, nor can we imagine what Security our good Subjects can desire for their Religion, Laws, and Liberties, which we have not offered, or fully given? (19). And is it suitable to the Duty and Dignity of both Houses of Parliament to answer our particular weighty Expressions of the Cause of our remove from *London* (so generally known to the Kingdom) with a Scoff, That they hope we were driven from thence, not by our own Fears, but by the Fears of the Lord *Digby*, and his Retinue of *Cavaliers*? Sure the Penner of that Declaration inserted that ungrave and insolent Expression (as he hath done divers others) without the Consent or Examination of both Houses, who would not so lightly have departed from their former Professions of Duty to us.

‘ Whether the way to a good Understanding between us and our People, hath been as zealously pressed by them, as it hath been professed and desired by us will be easily discerned by those who observe, that we have left no Publick Act undone on our Part, which in the least degree might be necessary to the Peace, Plenty, and Security of our Subjects, and that they have not dispatched one Act which hath given the least Evidence of their particular Affection and Kindness to us; but on the

RE M. (19). *Unhappily after the Violation of the Petition of Right, neither the King's Word nor Promises, nor even Acts of Parliament were deemed a sufficient Security. At least, plausible Reasons were alledged not to confide in them. Nothing but the Militia could satisfy the Parliament, and that was the Thing the King would not grant.*

‘ contrary,

‘ contrary, have discountenanced and hindered the
‘ Testimony other Men would give to us of their
‘ Affections; witness, the stopping and keeping back
‘ the Bill of Subsidies granted by the Clergy almost
‘ a Year since ; which, though our Personal Wants
‘ are so notoriously known, they will not to this
‘ Time pass : So not only forbearing to Supply us
‘ themselves, but keeping the Love and Bounty of
‘ other Men from us, and afford no other Answers
‘ to all our Desires, all our Reasons (indeed not to
‘ be answered) than, That we must not make our
‘ Understanding or Reason the Rule of our Govern-
‘ ment, but suffer our Self to be assisted (which we
‘ never denied) by our great Council. We require
‘ no other Liberty to our Will, than the meanest of
‘ them do, (we wish they would always use that Li-
‘ berty) not to consent to any Thing evidently con-
‘ trary to our Conscience and Understanding ; and
‘ we have and shall always give as much Estimation
‘ and Regard to the Advice of both our Houses of
‘ Parliament, as ever Prince hath done ; But we shall
‘ never (and we hope our People will never) account
‘ the Contrivance of a few (factious, seditious Persons,
‘ a malignant Party, who would sacrifice the Com-
‘ mon-wealth to their own Fury and Ambition) the
‘ Wisdom of Parliament : And that the justifying and
‘ defending such Persons, (of whom and of their
‘ particular sinister ways to compass their own bad
‘ Ends, we shall shortly inform the World) is not
‘ the way to preserve Parliaments, but is the oppo-
‘ sing and preferring the Consideration of a few un-
‘ worthy Persons, before their Duty to their King,
‘ or their Care of the Kingdom. They would have
‘ us remember that our Resolutions do concern King-
‘ doms, and therefore are not to be moulded by our
‘ own Understanding : We well remember it, but
‘ we would have them remember, That when their
‘ Consultations endeavour to lessen the Office and
‘ Dignity of a King, they meddle with that which is
‘ not within their Determination, and of which we
‘ must

1641. ' must give an account to God and our other King-
' doms, and must maintain with the Sacrifice of our
' Life.

' Lastly, That Declaration tells you of a present
' desperate and malicious Plot of the malignant Par-
' ty now acting, under the plausible Notions of stir-
' ring Men up to a Care of preserving the King's
' Prerogative, maintaining the Discipline of the
' Church, upholding and continuing the Reverence
' and Solemnity of God's Service, and encouraging
' Learning, (indeed plausible and honourable Noti-
' ons to Act any Thing upon) and that upon these
' Grounds divers mutinous Petitions have been fra-
' med in *London*, *Kent*, and other Places. Upon
' what Grounds would these Men have Petitions fra-
' med? Have so many Petitions (even against the
' Form and Constitution of the Kingdom, and the
' Laws established) been joyfully received and ac-
' cepted? And shall Petitions framed upon these
' Grounds be called *mutinous*? Hath a Multitude of
' mean, unknown, inconsiderable, contemptible Per-
' sons about the City and Suburbs of *London*, had
' Liberty to Petition against the Government of the
' Church, against the Book of Common-Prayer, a-
' gainst the Freedom and Privilege of Parliament,
' and be thanked for it? And shall it be called Mu-
' tiny in the gravest and best Citizens of *London*, in
' the Gentry and Commonalty of *Kent*, to frame
' Petitions upon these Grounds, and to desire to be
' governed by the known Laws of the Land,
' not by Orders or Votes of either, or both Houses
' of Parliament? Can this be thought the Wisdom
' and Justice of both Houses of Parliament? Is it
' not evidently the Work of a Faction within or
' without both Houses, who deceive the Trust re-
' posed in them, and have now told us, what Muti-
' ny is? To stir up Men to a Care of preserving our
' Prerogative, maintaining the Discipline of the
' Church, upholding and continuing the Reverence
' and Solemnity of God's Service, encouraging of
' Learning,

' Learning, is Mutiny. Let Heaven and Earth,
 ' God and Man, judge between us and these Men.
 ' And however such Petitions are there called mu-
 ' tinous, and the Petitioners threatned, discounte-
 ' nanced, censured and imprisoned; if they bring
 ' such lawful Petitions to us, we will graciously re-
 ' ceive them, and defend them and their Rights a-
 ' gainst what Power soever, with the utmost Hazard
 ' of our Being.

' We have been the longer (to our very great
 ' Pain) in this Answer, that we might give the
 ' World Satisfaction, even in the most trivial Parti-
 ' culars which have been objected against us; and
 ' that we may not again be reproached with any
 ' more prudent Omissions. If we have been compell-
 ' ed to sharper Language than we affect, let it be
 ' considered how vile, how insufferable our Provoca-
 ' tions have been: And except to repel Force be to
 ' Assault, and to give punctual and necessary An-
 ' swers to rough and insolent Demands, be to make
 ' Invectives, we are confident the World will accuse
 ' us of too much Mildness, and all our good Sub-
 ' jects will think we are not well dealt with, and
 ' will judge of us, and of their own Happiness and
 ' Security in us, by our Actions; which we desire
 ' may no longer prosper, or have a Blessing from
 ' God upon them and us, than they shall be directed
 ' to the Glory of God, in the Maintenance of the
 ' true Protestant Profession, to the Preservation of
 ' the Property and the Liberty of the Subject in the
 ' Observation of the Laws, and to the Maintenance
 ' of the Rights and Freedom of Parliament, in the
 ' Allowance and Protection of their just Privileges."

After reading all these *Papers* in this second Part of the Reign of *Charles I.* a Man should, one would think, have a perfect Knowledge of the Differences between the King and the Parliament, and the Matter be exhausted. Nevertheless, if he should keep to the *Papers* published on both Sides, he would have

*Explicati-
on of the
Differences
between
the King
and Par-
liament.*

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no clear Notion of the Cause of these Differences. To this end we must enter into the Motives which they took care not to discover in their *Manifestos*, published only with Design to gain the Approbation of the People. I shall insert here a Recital, which, in my Opinion, will serve to give a clear and fair Representation of these Differences. I shall say nothing but what has been said in several Places, and yet I believe it will not be superfluous to sum up the whole together in a few Words, which may be of Service to show the Grounds and Causes of the ensuing Civil Wars.

It must first be laid down as a Fact that needs no Proof after what has been said, that the King had formed a Design to establish an arbitrary Government in *England*. They who deny this, have nothing to do but to frame and devise a more natural Cause of the People's Discontent against his Government. But it is certain, whatever their System may be, they will never be able, without this, to reconcile it with the Events so, as to satisfy the Impartial and Unbiased. The Four preceding Parliaments considered all the King's Proceedings, from the Beginning of his Reign, as tending to establish an absolute Power. This was what they called their *Grievances*, the Redress whereof they frequently, though in vain, demanded.

Charles I. inherited the King his Father's mortal Aversion to the *Puritans* or *Presbyterians*. He was, like him, persuaded, that their Principles concerning Church-Government were directly opposite to Monarchy in the State. They both went still further. They believed not only that all the *Puritans* were Enemies to Monarchy, but also that all those who were against a despotick Power were truly *Puritans*. This made *Charles I.* resolve to ruin all such as were not submissive enough to his Will, by confounding them all under the Name of *Puritans*. To that purpose he admitted into his Council or any publick Office none but such as were of the same Opinion with himself. Hence sprung all the Severities exercised by

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by the Council, the *Star-Chamber*, the *High-Commission*, the Judges, and all the Magistrates, upon all those that, according to the Notions of the Court, were infected with *Puritanism*, though many of these Men were sincerely attached to the Church of *England*. Herein the King, contrary to his Intention, did a very great Service to the true *Presbyterians*, since he confounded their Interests with those of a great Number of People, who, otherwise would have had no Inclination for *Presbyterianism*. The Truth is, they were both threatned with the same Destruction. For this Reason, in the Elections for this last Parliament, abundance of Members were returned who were of contrary Principles to the King and Court. Among these, the *Presbyterians* were the most eager, plainly perceiving their Ruin was determined, and would be soon at Hand, if the King succeeded in his Designs. Thus the *Presbyterian* Party, which before made an inconsiderable Figure in the Kingdom, grew very strong, by the Union of the other sort of *Puritans*, whom the Court was pleased to confound with them.

On the other Hand, Archbishop *Laud* and some other Court-Bishops devised a Means which could not fail to afford them Opportunities to persecute the *Puritans*. And this was to enjoin with great Rigour the Observance of certain Practices and Customs, which most People looked upon as indifferent. Nay, they added sundry Innovations, which gave Offence not only to the *Presbyterians*, but also to many Church-of-*England* Men. This produced great Murmurs. But People were not satisfied with complaining only, they even ran into open Disobedience, which afforded a Handle to punish. Hereby the Bishops, who were the chief Authors of these Innovations, made themselves odious to such a Degree, that many believed they had just Reason to suspect there was a Design to restore the *Popish* Religion, since the setting up these Innovations was taken so much at Heart, which seemed to tend only to draw the Church

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of *England* nearer to that of *Rome*. If to this Discontent be added that occasioned by the King's Government with regard to the Liberties of the People and the Privileges of the Parliament, it will not be very hard to conceive that the Nation in general was extremely dissatisfied.

Though, in this last Parliament there was a good Number of *Presbyterians* for the Reason above hinted, they were not however strong enough to make a Party capable of opposing that of the Church, had they at first discovered their Intentions. So it may be affirmed, that in general, the Design of this Parliament, when they met, was not to overthrow the Church of *England*, and establish *Presbyterianism* in its room, though it can scarce be doubted, but this was the private Aim of the *Presbyterians*. However, as their Number was too small to run-counter to all the rest of the Parliament, they resolved to join closely with the opposite Party to the King, in procuring the Redress of Grievances. Among these Grievances, some related to Religion, as the Innovations which offended the Church-Men no less than the *Presbyterians* themselves. Upon this Subject these last scrupled not to declaim strenuously when occasion offered, and to represent these Grievances as being of very dangerous Consequence. They might do it without laying themselves too open, because, as I said, most of the Members of Parliament were already prejudiced against the Innovations and the Conduct of the Bishops. As the King was exceeding zealous for the Church of *England*, and of the Number of those who considered the Innovations and some other Trifles as necessary to the Solemnity of the publick Worship, he opposed their Suppression as much as possible, not directly, but by means of the Bishops, *Popish* Lords in the House of Peers, and others of his Party. And therefore the *Presbyterians* strove to make all the rest of the contrary Party sensible, that as long as the Bishops should sit in the House of Lords, it would be almost impossible to
come

come at an entire Redress of Grievances. The House of *Commons* persisted therefore in managing it so, that the Bishops Votes should be taken away, wherein they met with great Obstacles. But at length, by means of the Tumults they frightened them away, and induced them to give in the Protestation, which occasioned the sending of Twelve of them to the *Tower*. By the same means, the *Popish* Lords were likewise forced to absent themselves from the Parliament. From that time the King's Party became very weak, and the *Presbyterians* acquired new strength.

The *Presbyterian* Party having gained so much Ground, diligently applied themselves to cherish the Dissention between the King and the Parliament. They were the Men that got the Remonstrance of the State of the Kingdom passed, which was presented to the King at his Return from *Scotland*, and was the Signal, as it were, of the Rupture. Unluckily, there was in the *Presbyterian* Party, another Party which concealed themselves, and were afterwards known by the Name of *Independents*. This Party, as they could not accomplish their secret Designs but amidst Disorder and Confusion, affected a *rigid Presbyterianism*, and strove to carry things to Extremities, under colour of maintaining *Presbyterianism*, though in truth their Intention was to destroy it as well as the Church of *England*.

In the mean while, the King retiring to *York*, and perceiving that a War was unavoidable, sent private Notice to all whom he thought his Well-wishers in both Houses, to leave the Parliament and repair to *York* or elsewhere. Many obeyed, and by their withdrawing the *Presbyterian* Party carried all before them in the two Houses. Before that time, whenever any thing was moved by the *Presbyterians* tending to the Subversion of the Church of *England*, those who had any regard for the Church did not fail to oppose it, and of this Number were all the King's Friends. But as soon as these were gone, the *Presbyterian* Party became so superior in both Houses, that

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that every thing was passed they had a mind to. This is what the King observed in several Passages of his Answer above. Thus the *Presbyterian* Party prevailing in both Houses, and their private Aim being to alter the Church-Government, but the Thing being impracticable, as long as the King kept his Power, it is evident, that according to this Project it was the Parliament's Business, who were directed by the *Presbyterians*, carefully to avoid whatever tended to an Accommodation, which would have broken all their Measures. But they took care not to discover fully their Designs. It was not yet time, till they had put it out of the King's Power to prevent the Execution thereof. So, though they rendered their Fears and Jealousies with regard to the King as plausible as it was possible, and though it should be granted, they had reason to suspect and fear, yet is there room to think that the Danger they represented as being so near and imminent, was not so real as they would fain have made believe. Their grand Aim was to induce the King to begin the Breach, wherein the King seems not to perceive time enough, the Snare that was laid for him.

As for the King, it is almost impossible to know perfectly his secret Motives and Intentions, because, after the Opening of the Parliament, it was never in his Power to show them evidently enough by any Effects. It is true, he gave his Assent to several advantageous *Bills* to the People, and thereby seemed to express a kind of Repentance for his past Conduct. But the Situation he was in when he passed these *Acts* made it something doubtful whether he sincerely consented to the Redress of Grievances, or whether it was only to accommodate himself to the Times. He assured, that his Intention was to govern for the future according to Law, and called God to witness his Sincerity. But they would not rely on his Word. Thus much is certain, that whatever he said or did in favour of the Laws, was little consonant to the Principles he had followed for Fifteen Years. If any
were

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were persuaded that his Affeверations and Promises were sufficient for the Nation's Security, others thought they had just Cause to question their Sincerity, because they came at a time when he had no other Refuge but the Laws in order to support himself, nor any other way but his Promise to observe them, in order to hinder the whole Nation from deserting him. I shall not take upon me to decide so difficult a Question, which is beyond the Reach of Man, there being none but God alone who knows perfectly what passes in the Heart. I do believe it to be something rash to affirm, that *Charles I.* was not sincere in his Promises. But then I am of Opinion his Sincerity may be doubted, since he had never an Opportunity to demonstrate it by Effects.

Let the King's private Intention be what it would, he fully perceived That of the prevailing Party in the Parliament, and saw that nothing but Force could free him from the Danger he was in. His Proposals for an Accommodation were rejected, and his Promises to keep the Laws for the future considered as so many Snares, and unfortunately for him he had given but too much Cause for Distrust. He could not disown it with respect to what had passed before this Parliament, and even during this Parliament he had taken some Steps which his Enemies knew how to turn to their Advantage. Such was the Plot to seduce the Army, in which probably he had a Hand, though he could affirm he knew of no Resolution to bring up the Army to *London*. Such was the Accusation of the Six Members of Parliament, wherein one could not help suspecting some hidden Design. The Project to secure *Hull*, his withdrawing to *York*, the Queen's Voyage into *Holland*, the Motive whereof was discovered in time, were Things that helped not to cure the People of their Suspicions. So both Houses steddily keeping to the Occasions of Jealousy, Fear and Distrust, which they had or pretended to have with respect to the King, made use of them to convince the People that there was no depend-
ing

ing upon his Promises, unless it was put out of his Power to break them. This is what gave rise to the Business of the *Militia*, on account whereof the King was drawn into a Streight, from whence he could not get clear. For by granting the *Militia*, he would have been subservient himself to the Execution of the Parliament's Designs, and by refusing it, he gave occasion to say, he would have brought both Houses to an Accommodation, without giving them other Security than his Word, which, as they pretended, could not be relied upon. It is also true, that the King would not recede from any of his Rights, neither would he offer other Assurance than his Word, to satisfy the Parliament.

After what we have seen, it will not be hard to perceive the Ground of the Quarrel, and the Difficulties of an Accommodation. That relating to the Government of the Church, was one of the Principal, though it may not be fully set forth in the *Manifesto's* of both Parties. If the King's Interests had been only concerned, perhaps he would have agreed to some Concessions, at least for a time. But he found that one chief Reason of his Enemies desiring to lessen his Authority, was, the more easily to come at a Change in the Ecclesiastical Government, which he thought himself bound in Conscience to oppose to the utmost of his Power. He was so strongly and so sincerely attached to the Church of *England*, that he looked upon any Condescension which might tend to her Ruin, as the blackest Crime he could be guilty of, and persisted in this Opinion, even when his Affairs were grown desperate. All his Counsellors were of the same Principles. They believed the Government of the Church by Bishops so absolutely necessary, that a Church without Bishops was no true Church in their Opinion. On the other Hand, the *Presbyterians* were no less possessed with their Notions, and without distinguishing what is essential in Religion from what is only external, they considered the Usages and Practices of the Church of *England* as a sort of *Popery*.
Besides,

Besides, they were so convinced of the King's Aversion for them, that they could not think themselves safe, as long as it was in his Power to oppress them. Matters standing thus, it is evident that Force of Arms alone was capable of obliging one or other Party to give way.

A War being almost unavoidable, the Earl of Bristol, though he had no great reason to be pleased with the King, made his last Essay to procure an Accommodation, by a Speech in the House of Peers. He represented, that the Thing was not impossible, if it were set about heartily. After having enumerated all the Inconveniencies of a Civil War, and the Calamities it is usually attended with, he moved the appointing a select Committee of both Houses, truly to state all the Differences betwixt the King and the Parliament, with the most probable ways of reconciling them, what the King ought to do to satisfy the People, and what Security he should give. He added several other Things, which plainly enough showed he inclined to the King's Side, and because withal he mentioned Religion but very slightly and in general Terms, his Speech had no great Effect.

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The Earl of Bristol in vain proposes an Accommodation, May 20. Rush. IV. p. 714.

The same Day or the next the Commons voted:

- " 1. That it appeared, *That the King, seduced by wicked Counsels, intended to make War against the Parliament,* who in all their Consultations and Actions had proposed no other End unto themselves, but the Care of his Kingdoms, and the Performance of all Duty and Loyalty to his Person.
- " 2. That whensoever the King made War upon the Parliament, it would be a *Breach of the Trust* reposed in him by his People, contrary to his Oath, and tending to the Dissolution of the Government.
- " 3. That whosoever should serve or assist him in such Wars, would be *Traitors* by the fundamental Laws of the Kingdom; and had been so adjudged

The Commons: Votes. Ibid. p. 717.

" by

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“ by two Acts of Parliament, and ought to suffer as
 “ Traitors, II *Rich. II.* I *Hen. IV.* (a).

*The King
 gets the
 Great-
 Seal.*

*The Parlia-
 ment's Pe-
 tition to
 the King to
 disband
 his Forces.
 Rush. IV.
 p. 719.
 May 23.
 The King's
 Answer.
 Rush. IV.
 p. 720.*

May the 22d, the Lord Keeper *Littleton* delivered up the Great-Seal to be carried to the King and followed it himself the next Morning, before the Parliament had any Knowledge of it.

The 23d Both Houses sent a Petition to the King to desire him to disband the *Horse* and *Foot* he had raised under Colour of a Guard for his Person. They told him, that if he did not dismiss these Forces, they should be obliged to preserve the Peace of the Kingdom by the most proper means. The King returned a very sharp Answer to this Petition, reproaching both Houses that they had raised a Guard for themselves, and ordered all the *Sheriffs* to oppose with the *posse Comitatus*, all such as should come together by the King's Warrant.

A War, as I said, was resolved on both Sides ; but however each Side still used some Ceremony, in order to cast the blame on the contrary Party. For in a Civil War it is chiefly the People that are wanted, because in them lies the Strength of the two Parties. The Earl of *Bristol* in his Speech to the Lords the 20th of *May*, observed that it was not impossible to state the Differences betwixt the King and the Parliament ; but the great Difficulty lay in finding such Security, as might stand with the King's Honour, and the People's Satisfaction. He chiefly insisted, that as the King offered to give reasonable Security, his Offer ought not to be rejected, and the Issue of the War taken upon themselves. As this Offer, though made in very general Terms, seemed plausible, the Parliament was apprehensive it might make some Impression upon the People. And therefore, they judged it necessary to show that the King, by this general

(a) These Votes were passed before the King's Answer to the Parliament's *Manifesto*, and therefore are mentioned by him in that Answer.

general Offer, tendered however nothing but his Word for Security, which could not be a firm Foundation enough for a good Accommodation. To this End, they sent him the second of *June*, nineteen Propositions, which they looked upon as proper to establish a good Peace and strict Union between the King and the Parliament. The Propositions were these :

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‘ 1. That the Lords, and others of your Majesty’s Privy-Council, and such great Officers and Ministers of State, either at home or beyond the Seas, may be put from your Privy-Council, and from those Offices and Employments, excepting such as shall be approved of by both Houses of Parliament ; and that the Persons put into the Places and Employments of those that are removed, may be approved of by both Houses of Parliament ; and that the Privy-Council shall take an Oath for the due Execution of their Places, in such Forms as shall be agreed on by both Houses of Parliament.

Nineteen Propositions sent to the King by the Parliament.
Rush. IV:
p. 722.
June 2.

‘ 2. That the great Affairs of this Kingdom may not be concluded or transacted by the Advice of Private Men, or by any unknown or unsworn Counsellors, but that such Matters as concern the Publick, and are proper for the High-Court of Parliament, which is your Majesty’s great and supream Council, may be debated, resolved, and transacted only in Parliament, and not elsewhere ; and such as shall presume to do any Thing to the contrary, shall be reserved to the Censure and Judgment of Parliament : And such other Matters of State as are proper for your Majesty’s Privy-Council, shall be debated and concluded by such of the Nobility and others, as shall from time to time be chosen for that Place, by Approbation of both Houses of Parliament : And that no Publick Act concerning the Affairs of the Kingdom, which are proper for your Privy-Council, may be esteemed of any Validity,

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‘ lidity, as proceeding from the Royal Authority,
 ‘ unless it be done by the Advice and Consent of the
 ‘ Major-part of the Council, attested under their
 ‘ Hands ; And that your Council may be limited to
 ‘ a certain Number, not exceeding Five and Twenty,
 ‘ nor under Fifteen. And if any Counsellor’s Place
 ‘ happen to be void in the Interval of Parliament, it
 ‘ shall not be supplied without the Assent of the
 ‘ Major-part of the Council ; which Choice shall be
 ‘ confirmed at the next sitting of Parliament, or else
 ‘ to be void.

‘ 3. That the Lord High-Steward of *England*,
 ‘ Lord High Constable, Lord Chancellor, or Lord-
 ‘ Keeper of the Great-Seal, Lord Treasurer, Lord
 ‘ Privy-Seal, Earl-Marshal, Lord Admiral, War-
 ‘ den of the Cinque-Ports, Chief Governour of *Ire-*
 ‘ *land*, Chancellor of the Exchequer, Master of the
 ‘ Wards, Secretaries of State, two Chief Justices and
 ‘ Chief-Baron, may be always chosen with the Ap-
 ‘ probation of both Houses of Parliament, and in the
 ‘ Intervals of Parliament, by Assent of the Major-
 ‘ part of the Council, in such manner as is before ex-
 ‘ pressed in the Choice of Counsellors.

‘ 4. That he or they unto whom the Government
 ‘ and Education of the King’s Children shall be com-
 ‘ mitted, shall be approved of by both Houses of
 ‘ Parliament ; and in the Intervals of Parliament, by
 ‘ the Assent of the Major-part of the Council, in such
 ‘ manner as is before expressed in the Choice of
 ‘ Counsellors ; and that all such Servants as are now
 ‘ about them, against whom both Houses have any
 ‘ just Exceptions, shall be removed.

‘ 5. That no Marriage shall be concluded, or treat-
 ‘ ed for any of the King’s Children, with any Fo-
 ‘ reign Prince or other Person whatsoever, abroad
 ‘ or at home, without the Consent of Parliament,
 ‘ under the Penalty of a *Premunire*, upon such as
 ‘ shall conclude, or treat of any Marriage as aforesaid ;
 ‘ and that the said Penalty shall not be pardoned or
 ‘ dispensed

'dispensed with, but by the Consent of both Houses
'of Parliament.

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'6. That the Laws in force against Jesuits, Priests,
'and Popish Recusants, be strictly put in Execution,
'without any Toleration or Dispensation to the con-
'trary; and that some more effectual Course may
'be enacted by Authority of Parliament, to disable
'them from making any Disturbance in the State, or
'eluding the Law by Trusts, or otherwise.

'7. That the Votes of Popish Lords in the House
'of Peers may be taken away, so long as they con-
'tinue Papists; And that your Majesty will consent
'to such a Bill as shall be drawn for the Education of
'the Children of Papists by Protestants, in the Pro-
'testant Religion.

'8. That your Majesty will be pleased to con-
'sent, that such a Reformation be made of the
'Church-Government, and Liturgy, as both Houses
'of Parliament shall advise; wherein they intend to
'have Consultations with Divines, as is expressed in
'their Declaration to that Purpose; and that your
'Majesty will contribute your best Assistance to
'them, for the raising of a sufficient Maintainance
'for Preaching-Ministers through the Kingdom;
'and that your Majesty will be pleased to give your
'Consent to Laws for the taking away Innovations
'and Superstition, and Pluralities, and against scan-
'dalous Ministers.

'9. That your Majesty will be pleased to rest sa-
'tisfied with that Course that the Lords and Com-
'mons have appointed for ordering of the *Militia*,
'untill the same shall be farther settled by a Bill,
'and that your Majesty will recal your Declaration
'and Proclamations against the Ordinance made by
'the Lords and Commons concerning it.

'10. That such Members of either House of Par-
'liament, as have, during the present Parliament,
'been put out of any Place or Office, may either be
'restored to that Place and Office, or otherwise have

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‘ Satisfaction made for the same, upon the Petition of
‘ that House whereof he or they are Members.

‘ 11. That all Privy-Counsellors and Judges may
‘ take an Oath, the Form whereof to be agreed on,
‘ and settled by Act of Parliament, for the main-
‘ taining of the Petition of Right, and of certain
‘ Statutes made by this Parliament, which shall be
‘ mentioned by both Houses of Parliament; and
‘ that an Enquiry of all the Breaches and Violations
‘ of those Laws may be given in Charge by the Jus-
‘ tices of the King’s-Bench every Term, and by the
‘ Judges of Assize in their Circuits, and Justices of
‘ the Peace at the Sessions, to be presented and pu-
‘ nished by Law.

‘ 12. That all the Judges, and all the Officers pla-
‘ ced by Approbation of both Houses of Parliament,
‘ may hold their Places, *quamdiu bene se gesserint*.

‘ 13. That the Justice of Parliament may pass up-
‘ on all Delinquents, whether they be within the
‘ Kingdom, or fled out of it; and that all Persons
‘ cited by either House of Parliament, may appear
‘ and abide the Censure of Parliament.

‘ 14. That the general Pardon offered by your
‘ Majesty may be granted, with such Expressions as
‘ shall be advised by both Houses of Parliament.

‘ 15. That the Forts and Castles of this Kingdom
‘ may be put under the Command and Custody of
‘ such Persons as your Majesty shall appoint, with
‘ the Approbation of your Parliament; and in the
‘ Intervals of Parliament, with the Approbation of
‘ the Major-part of the Council, in such manner as
‘ is before expressed in the Choice of Counsellors.

‘ 16. That the extraordinary Guards, and Military
‘ Forces now attending your Majesty, may be re-
‘ moved and discharged; and that for the future you
‘ will raise no such Guards or extraordinary Forces,
‘ but according to the Law, in Case of actual Rebel-
‘ lion or Invasion.

‘ 17. That your Majesty will be pleased to enter
‘ into a more strict Alliance with the States of the

‘ *United*

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‘ *United Provinces*, and other neighbour Princes
 ‘ and States of the Protestant Religion, for the De-
 ‘ fence and Maintainance thereof, against all the De-
 ‘ signs and Attempts of the Pope and his Adherents
 ‘ to subvert and suppress it, whereby your Majesty will
 ‘ obtain a great Access of Strength and Reputation,
 ‘ and your Subjects be much more encouraged and
 ‘ enabled, in a Parliamentary Way, for your Aid
 ‘ and Assistance, in restoring your Royal Sister and
 ‘ her Princely Issue to those Dignities and Dominions
 ‘ which belong unto them, and relieving the other
 ‘ Protestant Princes who have suffered in the same
 ‘ Cause.

‘ 18. That your Majesty will be pleased by Act
 ‘ of Parliament, to clear the Lord *Kimbolton*, and
 ‘ the five Members of the House of Commons, in
 ‘ such manner, that all future Parliaments may be
 ‘ secured from the Consequence of that evil Pre-
 ‘ cedent.

‘ 19. That your Majesty will graciously be pleased
 ‘ to pass a Bill for restraining Peers made hereafter,
 ‘ from sitting or voting in Parliament, unless they be
 ‘ admitted thereunto with the Consent of both Hou-
 ‘ ses of Parliament.

‘ And these our humble Desires being granted by
 ‘ your Majesty, we shall forthwith apply our selves
 ‘ to regulate your present Revenue, in such sort as
 ‘ may be for your best Advantage; and likewise to
 ‘ settle such an ordinary and constant increase of it,
 ‘ as shall be sufficient to support your Royal Dignity
 ‘ in Honour and Plenty, beyond the Proportion of
 ‘ any former Grants of the Subjects of this Kingdom
 ‘ to your Majesty’s Royal Predecessors. We shall
 ‘ likewise put the Town of *Hull* into such Hands as
 ‘ your Majesty shall appoint, with the Consent and
 ‘ Approbation of Parliament, and deliver up a
 ‘ just Account of all the Magazine; and chearfully
 ‘ imploy the uttermost of our Power and Endeavours
 ‘ in the real Expression and Performance of our most

1942. ‘ dutiful and Loyal Affections, to the preserving and
 ‘ maintaining the Royal Honour, Greatness and Safe-
 ‘ ty of your Majesty and your Posterity.’

The King made to these Propositions, a long Answer, that is to say, with so long Periods, and so frequent Parentheses, that it is no easy Task to translate it without losing something of its Force.

*The KING’S ANSWER to the
 Nineteen Propositions.*

Rush. IV. ‘ **B**Efore we shall give you our Answer to your
 p. 725. ‘ Petition and Propositions, we shall tell you,
 ‘ That we are now clearly satisfied, why the Me-
 ‘ thod which we traced out to you by our Message
 ‘ of the 20th of *January*, and have so often pressed
 ‘ upon you, as the proper way to compose the Di-
 ‘ stractions of this Kingdom, and render it truly
 ‘ happy, hath been hitherto declined, and is at
 ‘ length not thought fit to be looked upon. We
 ‘ now plainly see, (and desire that you and all other
 ‘ our good Subjects should do so too) that the Caba-
 ‘ lists of this Business have with great Prudence re-
 ‘ served themselves, until due Preparations should
 ‘ be made for their Design. If they had unseasona-
 ‘ bly vented such Propositions, as the Wisdom and
 ‘ Modesty of your Predecessors never thought fit to
 ‘ offer to any of our Progenitors ; nor we in Honour
 ‘ or Regard to our Royal Authority, (which God
 ‘ hath intrusted us with for the good of our People)
 ‘ could receive without just Indignation (and such
 ‘ many of your present Propositions are) their Hopes
 ‘ would soon have been blasted, and those Persons to
 ‘ whom Offices, Honours, Power and Commands
 ‘ were designed, by such ill-timing of their Business,
 ‘ would have failed of their Expectation, not with-
 ‘ out a Brand upon the Attempt. Therefore, be-
 ‘ fore

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‘ fore any Thing of this Nature should appear, they
 ‘ have (certainly with great Wisdom in the Conduct
 ‘ of it) thought fit to remove a troublesome Rub in
 ‘ their way, the Law ; to this End, (that they might
 ‘ undermine the very Foundations of it) a new Power
 ‘ hath been assumed to interpret and declare Laws
 ‘ without us by extemporary Votes, without any Case
 ‘ judicially before either House, (which is in Effect
 ‘ the same Thing as to make Laws without us) Or-
 ‘ ders and Ordinances made only by both Houses,
 ‘ (tending to a pure Arbitrary Power) were pressed
 ‘ upon the People as Laws, and their Obedience re-
 ‘ quired to them.

‘ Their next Step was, to erect an upstart Autho-
 ‘ rity without us (in whom, and only in whom the
 ‘ Laws of this Realm have placed that Power) to
 ‘ command the *Militia*, (very considerable to this
 ‘ their Design.) In farther Order to it, they have
 ‘ wrested from us our Magazine and Town of *Hull*,
 ‘ and abetted Sir *John Hotbom* in his bold-faced
 ‘ Treason. They have prepared and directed to the
 ‘ People unprecedented Invectives against our Go-
 ‘ vernment, thereby (as much as lay in their Power)
 ‘ to weaken our just Authority and due Esteem a-
 ‘ mong them ; they have as injuriously, as presump-
 ‘ tuously, (though we conceive by this time, Impu-
 ‘ dence it self is ashamed of it) attempted to cast
 ‘ upon us Aspersions of an unheard-of Nature, as if
 ‘ we had favoured a Rebellion in our own Bowels.
 ‘ They have likewise broached a new Doctrine, That
 ‘ we are obliged to pass all Laws that shall be offer-
 ‘ ed to us by both Houses, (howsoever our own
 ‘ Judgment and Conscience shall be unsatisfied with
 ‘ them) a Point of Policy as proper for their present
 ‘ Business, as destructive to all our Rights of Parlia-
 ‘ ment, and so with strange Shamelessness will for-
 ‘ get a Clause in Law still in Force, made in the se-
 ‘ cond Year of King *Henry V.* wherein both Houses
 ‘ of Parliament do acknowledge, That it is of the
 ‘ King’s Regality to grant or deny such of their Pe-

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‘ titions as pleaseth himself. They have interpreted
 ‘ our necessary Guard, legally assembled, for the
 ‘ Defence of us and our Children’s Persons, against a
 ‘ Traitor in open Rebellion against us (a), to be with
 ‘ intent to levy War against the Parliament, (the
 ‘ Thought whereof our very Soul abhorreth) there-
 ‘ by to render us odious to the People.

‘ They have so awed our good Subjects with Pur-
 ‘ servants, long chargeable Attendances, heavy Cen-
 ‘ sures, and illegal Imprisonments, that few of them
 ‘ durst offer to present their Tenderneſs of our Suf-
 ‘ ferings, their own just Grievances, and their Sense
 ‘ of those Violations of the Law, (the Birth-right of
 ‘ every Subject in this Kingdom) though in an hum-
 ‘ ble Petition directed to both Houses ; and if any
 ‘ did, it was stifled in the Birth, called *Sedition*, and
 ‘ burnt by the common Hangman.

‘ They have restrained the Attendance of our or-
 ‘ dinary and necessary Household Servants (b), and
 ‘ seized upon those small Sums of Money, which our
 ‘ Credit had provided to buy us Bread, with Injun-
 ‘ ctions that none should be suffered to be conveyed,
 ‘ or returned to us at *York*, or any of our Peers or
 ‘ Servants with us ; so that (in effect) they have
 ‘ blocked us up in that County.

‘ They have filled the Ears of the People with the
 ‘ Noise of Fears and Jealousies, (though taken up
 ‘ upon Trust) Tales of Skippers, Salt-Fleets, and
 ‘ such like, by which Alarms they might prepare
 ‘ them to receive such Impressions as might best ad-
 ‘ vance this Design when it should be ripe. And
 ‘ now it seems they think we are sufficiently prepared
 ‘ for these bitter Pills. We are in a handsome Pos-
 ‘ ture to receive these humble Desires (which pro-
 ‘ bably are intended to make way for a Superfetation
 ‘ of a (yet) higher Nature, if we had not made
 ‘ this Discovery to you) for they do not tell us this
 ‘ is

(a) Sir John Hotham.

(b) The Earls of *Essex* and *Holland*.

' is all. In them we must observe, that these Contrivers (the better to advance their true Ends) disguised as much as they could their Intents, with a Mixture of some things really to be approved by every honest Man, others, specious and popular : and some which are already granted by us, all which are cunningly twisted together, and mixed with those other things of their main Design of Ambition and private Interest; in hope, that at the first View, every Eye may not so clearly discern them in their proper Colours.

' We would not be understood, that we intend to fix this Design upon both or either House of Parliament : We utterly profess against it, being most confident of the Loyalty, good Affections and Integrity of the Intentions of that great Body ; and knowing well, that very many of both Houses were absent, and many dissented from all those Particulars we complain of : But we do believe, and accordingly profess to all the World, that the Malignity of this Design (as dangerous to the Laws of this Kingdom, the Peace of the same, and the Liberties of all our good Subjects, as to our Self and our just Prerogative) hath proceeded from the subtle Informations, mischievous Practices, and evil Councils of ambitious turbulent Spirits, dissatisfied to God's true Religion, and the Unity of the Professors thereof, our Honour and Safety, and the publick Peace and Prosperity of our People, not without a strong Influence upon the very Actions of both Houses. But how faulty soever others are, we shall (with God's Assistance) endeavour to discharge our Duty with Uprightness of Heart ; and therefore, since these Propositions come to us in the Name of both Houses of Parliament, we shall take a more particular notice of every one of them.

' If the 1st, 2d, 3d, 4th, 5th, 9th, 10th, 15th, 19th Demands had been writ and printed in a Tongue unknown to us and our People, it might

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' have been possible we and they might have cha-
 ' ritably believed the Propositions to be such as might
 ' have been in order to the Ends pretended in the Pe-
 ' tition (to wit) the establishing of our Honour and
 ' Safety, the Welfare and Security of our Subjects
 ' and Dominions, and the removing those Jealousies
 ' and Differences, which are said to have unhappily
 ' fallen betwixt us and our People, and procuring
 ' both us and them a constant Course of Honour,
 ' Peace and Happiness: But being read and under-
 ' stood by all, we cannot but assure our Self, that
 ' this Profession, joined to these Propositions, will
 ' rather appear a Mockery and a Scorn, the De-
 ' mands being such ; as though we were unworthy of
 ' the Trust reposed in us by the Law, and of our
 ' Descent from so many great and famous Ancestors,
 ' if we could be brought to abandon that Power,
 ' which only can enable us to perform what we are
 ' sworn to in protecting our People and the Laws,
 ' and so assume others into it, as to devest our self
 ' of it, although not only our present Condition
 ' (which it can hardly be) were more necessitous
 ' than it is, and we were both vanquished and a Pri-
 ' soner, and in a worse Condition than ever the most
 ' unfortunate of our Predecessors have been reduced
 ' to by the most criminal of their Subjects. And
 ' though the Bait laid to draw us to it, and to keep
 ' our Subjects from Indignation at the mention of it,
 ' the Promises of a plentiful and unparalleled Reve-
 ' nue were reduced from Generals (which signify
 ' nothing) to clear and certain Particulars ; since
 ' such a Bargain would have but too great a Resem-
 ' blance of that of *Esau's*, if we should part with
 ' the Flowers of a Crown, as are worth all the rest
 ' of the Garland, and have been transmitted to us
 ' from so many Ancestors, and have been found so
 ' useful and necessary for the Welfare and Security of
 ' our Subjects, for any present Necessity, or for any
 ' low and sordid Considerations of Wealth and Gain.
 ' And therefore all Men knowing that those Accom-
 ' modations

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modations are most easily made, and most exactly observed, that are grounded upon reasonable and equal Conditions, we have great Cause to believe that the Contrivers of these had no Intention of settling any firm Accommodation, but to increase those Jealousies, and widen that Division, which (not by our fault) is now happily fallen between us and both Houses.

It is asked, That all the Lords and others of our Privy-Council, and such (we know not what you mean by such, but we have cause to think you mean all) great Officers and Ministers of State, either at home or beyond the Seas, (for care is taken to leave out no Person or Place, that our Dishonour may be sure not to be bounded within this Kingdom, though no subtle Insinuations at such a Distance can probably be believed to have been the Cause of our Distractions and Danger) should be put from our Privy-Council, and from those Offices and Employments, unless they be approved by both Houses of Parliament, how faithful soever we have found them to us and the Publick, and how far soever they have been from offending against any Law, the only Rule they had, or any others ought to have to walk by. We therefore to this part of this Demand return you this Answer, That we are willing to grant, that they shall take a larger Oath than your selves desire in your 11th Demand, for maintaining not of any part, but of the whole Law (1); and we have and do assure you, that we will be careful to make Election of such Persons in those Places of Trust as shall have given good Testimony of their Abilities and Integrities, and against whom there can be no just Cause of Exception whereon reasonably to ground

REMARK (1). *This is said, because in the whole Body of the Law were contained those Laws which ascribed to the King the Prerogatives they had a mind to deprive him of.*

‘ a Dif-

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‘ a Diffidence; that if we have or shall be mistaken
 ‘ in our Election, we have and do assure you, that
 ‘ there is no Man so near to us in Place or Affection,
 ‘ whom we will not leave to the Justice of the Law,
 ‘ if you shall bring a particular Charge and sufficient
 ‘ Proofs against him; and that we have given you
 ‘ (the best Pledge of the Effects of such a Promise
 ‘ on our Part, and the best Security for the Perform-
 ‘ ance of their Duty on theirs) a Triennial Parlia-
 ‘ ment, the Apprehension of whose Justice will in all
 ‘ probability make them wary how they provoke it,
 ‘ and us wary how we charge such, as by the Disco-
 ‘ very of their Faults may in any degree seem to dis-
 ‘ credit our Election, but that without any shadow
 ‘ of a Fault objected, only perhaps because they fol-
 ‘ low their Consciences, and preserve the established
 ‘ Laws, and agree not in such Votes, or assent not
 ‘ unto such Bills, as some Persons, who have now
 ‘ too great an Influence even upon both Houses,
 ‘ judge, or seem to judge to be for the publick Good,
 ‘ and as are agreeable to that new *Utopia* of Religion
 ‘ and Government, into which they endeavour to
 ‘ transform this Kingdom (2): For we remember
 ‘ what Names, and for what Reasons you left out in
 ‘ the Bill offered us concerning the Militia, which
 ‘ you had your selves recommended in the Ordi-
 ‘ nance: We will never consent to the displacing of
 ‘ any, whom for their former Merits from, and Af-
 ‘ fection to us and the Publick, we have intrusted,
 ‘ since we conceive that to do so would take away
 ‘ both from the Affection of our Servants, the Care
 ‘ of our Service, and the Honour of our Justice;
 ‘ and we the more wonder it should be asked by
 ‘ you of us, since it appears by the 12th Demand,
 ‘ that you your selves count it reasonable, after the
 ‘ present Turn is served, that the Judges and Offi-
 ‘ cers who are then placed, may hold their Places

REM. (2). *This alludes to Sir Thomas Moor's*
Utopia.

‘ *quamdiu*

quamdiu se bene gesserint ; and we are resolved to be
as careful of those we have chosen, as you are of
those you would choose, and to remove none till
they appear to us to have otherwise behaved them-
selves, or shall be evicted by legal Proceedings to
have done so.

But this Demand, as unreasonable as it is, is but
one Link of a great Chain, and but the first
Round of that Ladder, by which our just, antient,
regal Power is endeavoured to be fetched down to
the Ground. For it appears plainly, that it is not
with the Persons now chosen, but with our chusing
that you are displeased ; for you demand, that the
Persons put into the Places and Employments of
those who shall be removed, may be approved by
both Houses ; which is so far (as to some at first
sight it may appear) from being less than the
Power of Nomination, that of two things (of
which we will never grant either) we would
sooner be content that you should nominate and we
approve, than you approve and we nominate ; the
mere Nomination being so far from being any thing,
that if we could do no more, we would never take
the Pains to do that, when we shall only hazard
those whom we esteemed, to the Scorn of a Refusal,
if they happened not to be agreeable, not only to
the Judgment, but to the Passion, Interest or Hu-
mour of the present Major-part of either House.

Not to speak now of the great Factions, Ani-
mosities and Divisions which this Power would in-
troduce in both Houses, between both Houses, and
in the several Counties, for the Choice of Persons
to be sent to that Place where that Power was, and
between those Persons that were so chosen. Neither
is this strange Potion prescribed to us only for once,
for the Cure of a present pressing desperate Disease ;
but for a Diet to us and our Posterity, it is de-
manded, that our Counsellors, all chief Officers,
both of Law and State, Commanders of Forts and
Castles, and all Peers hereafter made (as to voting
without

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‘ without which, how little is the rest?) be approved
 ‘ of (that is chosen) by them from time to time ;
 ‘ and rather than it should ever be left to the Crown,
 ‘ (to whom it doth and shall belong) if any Place
 ‘ fall void in the Intermission of Parliament, the
 ‘ Major-part of the approved Council is to approve
 ‘ them ; neither is it only demanded, That we should
 ‘ quit the Power and Right our Predecessors had of
 ‘ appointing Persons in these Places, but for Coun-
 ‘ sellors we are to be restrained, as well in the Num-
 ‘ ber as in the Persons, and a Power must be annexed
 ‘ to these Places, which their Predecessors had not ;
 ‘ and indeed, if this Power was past to them, it were
 ‘ not fit we should be trusted to chuse those who were
 ‘ to be trusted as much as we.

‘ It is demanded, that such Matters as concern the
 ‘ Publick, and are proper for the High Court of Par-
 ‘ liament (which is our great and supreme Council)
 ‘ may be debated, resolved and transacted only in
 ‘ Parliament, and not elsewhere, and such as pre-
 ‘ sume to do any thing to the contrary, shall be re-
 ‘ served to the Censure and Judgment of the Parlia-
 ‘ ment ; and such other Matters of State, as are pro-
 ‘ per for our Privy-Council, shall be debated and
 ‘ concluded by such of Our Nobility (though indeed
 ‘ if being made by us they may not vote without the
 ‘ consent of both Houses, we are rather to call them
 ‘ Your Nobility) and others, as shall be from time
 ‘ to time chosen for that Place, by Approbation of
 ‘ both Houses of Parliament ; and that no publick
 ‘ Act concerning the Affairs of the Kingdom, which
 ‘ are proper for our Privy-Council, may be esteemed
 ‘ of any Validity, as proceeding from the Royal
 ‘ Authority, unless it be done by the Advice and
 ‘ Consent of the Major-part of our Council, attested
 ‘ under their Hands : which Demands are of that
 ‘ nature, that to grant them were in effect at once to
 ‘ depose both our Self and our Posterity.

‘ These

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‘ These being past, we may be waited on bare-headed, we may have our Hand kissed, the Stile of Majesty continued to us, and the King’s Authority declared by both Houses of Parliament may be still the Stile of your Commands; we may have Swords and Maces carried before us, and please our Self with the Thoughts of a Crown and Scepter; (and yet even these Twigs would not long flourish, when the Stock upon which they grew were dead) but as to true and real Power, we should remain but the Outside, but the Picture, but the Sign of a King. We were ever willing that our Parliament should debate, resolve and transact such Matters as are proper for them, as far as they are proper for them; and we heartily wish, that they would be as careful not to extend their Debates and Resolutions beyond what is proper to them, that Multitudes of things punishable, and Cases determinable by the Ordinary Judicatures, may not be entertained in Parliament, and so cause a long, chargeable and fruitless Attendance of our People, and (by degrees) draw to you as well all the Causes, as all the Faults of *Westminster-Hall*, and divert your proper Business: That the Course of Law be no ways diverted, much less disturbed, as was actually done by the Stop of the Proceedings against a Riot in *Southwark*, by Order of the House of Commons, in a Time so riotous and tumultuous, as much increased the Danger of popular Insolencies by such a Countenance to Riots, and Discountenance of Law: That you descend not to the Leasure of recommending Lecturers to Churches, nor ascend to the Legislative Power, by commanding (the Law not having yet commanded it) that they whom you recommend be received, although neither the Parson nor Bishop do approve of them; and that the Refusers (according to the Course so much formerly complained of to have been used at the Council-Table) be not sent for to attend to shew Cause at least, that you would consider Conveni-

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' ency, if not Law, and recommend none but who
 ' are well known to you to be Orthodox, Learned
 ' and Moderate, or at least such as have taken Or-
 ' ders, and are not notorious Depravers of the Book
 ' of Common-Prayer; a Care which appeareth by
 ' the Discourses, and Sermons, and Persons of some
 ' recommended by you, not to have been hitherto
 ' taken; and it highly concerns both you in Duty,
 ' and the Commonwealth in the Consequences, that
 ' it should have been taken: That neither one Estate
 ' transact what is proper for Two, nor Two what is
 ' proper for Three; and consequently, that (con-
 ' trary to our declared Will) our Forts may not be
 ' seized, our Arms may not be removed, our Monies
 ' may not be stopt, our legal Directions may not be
 ' countermanded by you, nor we desire to counter-
 ' mand them our Self; nor such Entrances made
 ' upon a real War against us, upon pretence of an
 ' imaginary War against you, and a Chimera of Ne-
 ' cessity. So far do you pass beyond your Limits,
 ' whilst you seem by your Demand to be strangely
 ' straitned within them; at least we could have
 ' wished you would have expressed what Matters you
 ' meant as fit to be transacted only in Parliament,
 ' and what you meant by only in Parliament.

' You have of late been persuaded, by the new
 ' Doctrine of some few, to think that proper for
 ' your Debates, which hath not used to be at all de-
 ' bated within those Walls, but been trusted wholly
 ' with our Predecessors and us; and to transact those
 ' Things, which without the Regal Authority, since
 ' there were Kings of this Kingdom, were never
 ' transacted: It therefore concerns us the more, that
 ' you speak out, and that both we and our People
 ' may either know the Bottom of your Demands, or
 ' know them to be bottomless. What concerns
 ' more the Publick, and is more (indeed) proper
 ' for the High-Court of Parliament, than the making
 ' of Laws, which not only ought there to be tran-
 ' sacted, but can be transacted no where else? But

' then

‘ then you must admit us to be a Part of the Parlia-
‘ ment ; you must not (as the Sense is of this part of
‘ the Demand, if it have any) deny the Freedom of
‘ our Answer, when we have as much Right to reject
‘ what we think unreasonable, as you have to pro-
‘ pose what you think convenient or necessary : Nor
‘ is it possible our Answers, either to Bills, or any
‘ other Propositions, should be wholly free, if we
‘ may not use the Liberty of every one of you, and
‘ of every Subject, to receive Advice (without their
‘ Danger who shall give it) from any Person, known
‘ or unknown, sworn or unsworn, in these Matters,
‘ in which the Manage of our Vote is trusted by the
‘ Law to our own Judgment and Conscience ; which
‘ how best to inform, is (and ever shall be) left
‘ likewise to us : And most unreasonable it were,
‘ that Two Estates proposing something to the
‘ Third, that Third should be bound to take no Ad-
‘ vice, whether it were fit to pass, but from those
‘ two that did propose it. We shall ever in these
‘ things, which are trusted wholly to us by the Law,
‘ not decline to hearken to the Advice of our great
‘ Council, and shall chuse to hear willingly the free
‘ Debates of our Privy-Council, (whensoever we
‘ may be suffered to have them for sending for, and
‘ they shall not be terrified from that Freedom of
‘ Votes, and Brands of Malignants and Enemies to the
‘ State, for advising what no Law forbids to advise)
‘ but we will retain our Power, of admitting no more
‘ to any Council than the Nature of the Business re-
‘ quires, and of discoursing with whom we please,
‘ of what we please, and informing our Under-
‘ standing by Debate with any Persons, who may be
‘ well able to inform and advise us in some Particu-
‘ lars, though their Qualities, Education, or other
‘ Abilities, may not make them so fit to be of our
‘ sworn Council ; and not tie our Self up not to
‘ hear any more than Twenty-five (and these not
‘ chosen absolutely by us) out of a Kingdom so
‘ replenished with judicious and experienced Persons
‘ of

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‘ of several kinds. And though we shall (with the
 ‘ proportionable Consideration due to them) always
 ‘ weigh the Advices both of our Great and Privy-
 ‘ Council, yet we shall also look upon their Advices
 ‘ as Advices, not as Commands or Impositions;
 ‘ upon them as our Counsellors, not as our Tutors
 ‘ and Guardians; and upon our Self as their King,
 ‘ not as their Pupil or Ward: For whatsoever of
 ‘ Regality were, by the Modesty of Interpretation
 ‘ left us, in the first Part of the second Demand, as
 ‘ to the Parliament, is taken from us in the second
 ‘ Part of the same, and placed in this new-fangled
 ‘ kind of Counsellors, whose Power is such, and so
 ‘ expressed by it, that in all publick Acts concerning
 ‘ the Affairs of this Kingdom, which are proper for
 ‘ our Privy-Council, (for whose Advice all publick
 ‘ Acts are sometimes proper, though never necessary)
 ‘ they are desired to be admitted joint Patentees with
 ‘ us in the Regality; and it is not plainly expressed
 ‘ whether they mean us so much as a single Vote in
 ‘ these Affairs; but it is plain they mean us no more
 ‘ at most, than a single Vote in them, and no more
 ‘ Power than every one of the rest of our Privy-
 ‘ Counsellors; only leave to us, out of their Res-
 ‘ pect and Duty, (and that only is left of all our
 ‘ antient Power) a Choice, whether these that are
 ‘ thus to be joined with (or rather set over) us, shall
 ‘ be Fifteen or Twenty-five: And great care is
 ‘ taken that the Oath which these Men shall take,
 ‘ shall be such, in the framing the Form of which
 ‘ (tho’ sure we are not wholly unconcerned in it) we
 ‘ may be wholly excluded, and that wholly reserved
 ‘ to be agreed upon by both Houses of Parliament.

‘ And to shew that no more care is taken of our
 ‘ Safety, than of our Power, after so great Indigni-
 ‘ ties offered to us, and countenanced by those who
 ‘ were most obliged to resent them: After our
 ‘ Town and Fort kept from us, (from which, if it
 ‘ were no otherwise ours, than the whole Kingdom is,
 ‘ we can no more legally be kept out, than out of

‘ our

' our whole Kingdom, which sure your selves will
' not deny to be Treason) our Arms, our Goods
' sent away, and our Money stopped from us, our
' Guards (in which we have no other Intention, than
' to hinder the End of these Things from being pro-
' portionable to their Beginnings) are not only desired
' to be dismissed before Satisfaction for the Injury,
' Punishment of the Injurors, and Care taken for
' our future Security from the like. But it is like-
' wise desired (and for this Law is pretended, and
' might as well have been for the rest, which yet with
' some Ingenuity are it seems acknowledged to be
' but Desires of Grace) that we shall not for the fu-
' ture raise any Guards, or extraordinary Forces, but
' in Case of actual Rebellion or Invasion; which if
' it had been Law, and so observed in the Time of
' our Predecessors, few of those Victories, which
' have made these Nations famous in other Parts,
' could have been legally atchieved: Nor could our
' blessed Predecessor *Queen Elizabeth*, have so defend-
' ed herself in Eighty-eight. And if no Forces
' must be levied till Rebellions and Invasions (which
' will not stay for the calling of Parliaments, and
' their Consent for raising of Forces) be actual,
' they must undoubtedly (at least most probably) be
' effectual and prevalent.

' And as neither Care is taken for our Rights, Ho-
' nour, nor Safety as a Prince; so our Rights, as a
' private Person, are endeavoured to be had from
' us; it being asked, that it may be unlawful and
' punishable, not only to conclude, but even to treat of
' any Marriage with any Person for our own Children,
' or to place Governours about them without Con-
' sent of Parliament; and in the Intermision of
' these, without the Consent of our good Lords of
' the Council; that we may not only be in a more
' despicable State than any of our Predecessors, but
' in a meaner and viler Condition than the lowest of
' our Subjects, who value no Liberty they have
' more, than that of the free Education and Marri-

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‘ age of their Children, from which we are asked to
 ‘ debarr our Self ; and have the more Reason to take
 ‘ it ill that we are so, because of our Choice of a
 ‘ Governour for our Son, and a Husband for our
 ‘ Daughter, (in which the Protestant Religion was
 ‘ our Principal Consideration) we conceived we had
 ‘ reason to expect your present Thanks, and the en-
 ‘ crease of your future Trusts.

‘ We suppose these Demands by this Time, to
 ‘ appear such as the Demanders cannot be supposed
 ‘ to have any such real Fear of us as hath been long
 ‘ pretended ; they are too much in the Stile not only
 ‘ of Equals, but of Conquerors ; and as little to be
 ‘ intended for removing of Jealousies, (for which
 ‘ End they are said to be asked ; and that is not as
 ‘ Merchants ask at first, much more than they will
 ‘ take, but at most necessary to effect it, which (if
 ‘ they be) God help this poor Kingdom, and those
 ‘ who are in the Hands of such Persons, whose Je-
 ‘ lousies nothing else will remove) which indeed is
 ‘ such a way, as if there being Differences and Suits
 ‘ between two Persons, whereof one would have
 ‘ from the other several Parcels of his ancient
 ‘ Land, he should propose to him, by way of Ac-
 ‘ commodation, that he would quit to him all those
 ‘ in question, with the rest of his Estate, as the most
 ‘ necessary and effectual Means to remove all those
 ‘ Suits and Differences ; But we call God to Wit-
 ‘ ness, that as for our Subjects Sake these Rights are
 ‘ vested in us, so for their Sakes, as well as for our
 ‘ own, we are resolved not to quit them, nor to sub-
 ‘ vert (though in a parliamentary Way) the ancient,
 ‘ equal, happy, well-poised, and never-enough com-
 ‘ mended Constitution of the Government of this
 ‘ Kingdom ; nor to make our Self, of a King of
 ‘ *England*, a Duke of *Venice* ; and this of a King-
 ‘ dom, a Republick.

‘ There being three kinds of Government among
 ‘ Men, absolute Monarchy, Aristocracy, and De-
 ‘ mocracy ; and all these having their particular Con-
 ‘ veniences

‘ veniences and Inconveniences ; the Experience and
‘ Wisdom of our Ancestors, hath so moulded this
‘ out of a Mixture of these, as to give to this
‘ Kingdom (as far as human Prudence can provide)
‘ the Conveniences of all three, without the Inconve-
‘ niences of any one, as long as the Ballance hangs
‘ even between the three Estates, and they run joint-
‘ ly on in their proper Channel, (begetting Verdure
‘ and Fertility in the Meadows on both Sides) and
‘ the overflowing of either on either Side, raise no
‘ Deluge or Inundation. The Ill of absolute Mo-
‘ narchy, is Tyranny ; the Ill of Aristocracy, is
‘ Faction and Division ; the Ills of Democracy, are
‘ Tumults, Violence, and Licentiousness. The
‘ Good of Monarchy, is the uniting a Nation under
‘ one Head, to resist Invasion from Abroad, and In-
‘ surrection at Home ; the Good of Aristocracy, is
‘ the Conjunction of Council in the ablest Persons of
‘ a State for the publick Benefit ; the Good of De-
‘ mocracy, is Liberty, and the Courage and Industry
‘ which Liberty begets.

‘ In this Kingdom the Laws are jointly made by a
‘ King, by a House of Peers, and by a House of
‘ Commons, chosen by the People, all having free
‘ Votes and particular Privileges. The Government
‘ according to these Laws, is trusted to the King ;
‘ Power of Treaties, of War and Peace, of making
‘ Peers, of chusing Officers and Counsellors for State,
‘ Judges for Law, Commanders for Forts and Cas-
‘ tles ; giving Commission for raising of Men ; to
‘ make War Abroad, or to prevent or provide a-
‘ gainst Invasions or Insurrections at Home ; Benefit
‘ of Confiscations, Power of Pardoning, and some
‘ more of the like kind are placed in the King. And
‘ this kind of regulated Monarchy, having this Power
‘ to preserve that Authority, without which it would
‘ be disabled to preserve the Laws in their Force, and
‘ the Subjects in their Liberties and Properties, is
‘ intended to draw to him such a Respect and Rela-
‘ tion from the Great Ones, as may hinder the Ills

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‘ of Division and Faction ; and such a Fear and Re-
‘ verence from the People, as may hinder Tumults,
‘ Violence, and Licentiousness.

‘ Again, That the Prince may not make use of this
‘ high and perpetual Power to the Hurt of those for
‘ whose Good he hath it ; and make use of the Name
‘ of *Publick Necessity*, for the Gain of his private Fa-
‘ vourers and Followers, to the Detriment of his Peo-
‘ ple, the House of Commons, (an excellent Con-
‘ server of Liberty, but never intended for any Share
‘ in Government, or the chusing of them that should
‘ govern) is solely intrusted with the first Propositi-
‘ ons concerning the Levies of Moneys, (which is the
‘ Sinews as well of Peace as of War) and the im-
‘ peaching of those, who for their own Ends, though
‘ countenanced by any surreptitiously-gotten Com-
‘ mand of the King, have violated that Law, which
‘ he is bound (when he knows it) to protect ; and
‘ to the Prosecution of which they were bound to
‘ advise him, at least not to serve him in the con-
‘ trary. And the Lords being trusted with a Judi-
‘ catory Power, are an excellent Skreen and Bank
‘ between the Prince and People, to assist each against
‘ the Incroachments of the other ; and by just Judg-
‘ ments to preserve that Law, which ought to be the
‘ Rule of every one of the Three. For the better
‘ enabling them in this, beyond the Examples of any
‘ of our Ancestors, we were willingly contented to
‘ oblige our Self, both to call a Parliament every
‘ three Years, and not to dissolve it in fifty Days :
‘ And for the present Exigent, the better to raise
‘ Money, and to avoid the Pressure, (no less grievous
‘ to us than them) our People must have suffered by
‘ a longer Continuance of so vast a Charge as two
‘ great Armies ; and for their greater Certainty of
‘ having sufficient Time to remedy the Inconveniences
‘ arisen, during so long an absence of Parliaments,
‘ and for the Punishment of the Causers and Mini-
‘ sters of them, we yielded up our Right of dissolv-
‘ ing this Parliament, expecting an extraordinary
‘ Moderation

‘ Moderation from it, in Gratitude for so unexam-
‘ pled a Grace, and little looking that any malig-
‘ nant Party should be encouraged, or enabled to
‘ have perswaded them, first to countenance the In-
‘ justices and Indignities we have endured, and then
‘ by a new way of Satisfaction for what was taken
‘ from us, to demand of us at once to confirm what
‘ was so taken, and to give up almost all the rest.

‘ Since therefore the Power, legally placed in both
‘ Houses, is more than sufficient to prevent and re-
‘ strain the Power of Tyranny, and without the
‘ Power, which is now asked from us, we shall not
‘ be able to discharge that Trust, which is the End
‘ of Monarchy, since this would be a total Subver-
‘ sion of the Fundamental Laws, and that excellent
‘ Constitution of this Kingdom, which hath made
‘ this Nation so many Years, both famous and happy
‘ to a great degree of Envy ; since to the Power of
‘ punishing (which is already in your Hands ac-
‘ cording to Law) if the Power of Preferring be
‘ added, we shall have nothing left for us but to
‘ look on, since the encroaching of one of these E-
‘ states upon the Power of the other is unhappy in
‘ the Effects, both to them and all the rest ; since
‘ this Power of at most a joint Government in us
‘ with our Counsellors (or rather our Guardians) will
‘ return to us to the worst kind of Minority, and
‘ make us despicable both at home and abroad, and
‘ beget eternal Factions and Dissentions (as destruc-
‘ tive to publick Happiness as War) both in the cho-
‘ sen, and in the Houses that chose them, and the
‘ People who chose the Chusers ; since so new a
‘ Power will undoubtedly intoxicate Persons who
‘ were not born to it, and beget not only Divisions
‘ among them as Equals, but in them Contempt of
‘ us, as become an Equal to them, and Insolence
‘ and Injustice toward our People, as now so much
‘ their Inferiours, which shall be the more grievous
‘ unto them, as suffering from those Men who were
‘ so lately of a nearer degree to themselves : And
‘ being

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‘ being to have a redress only from those that placed
 ‘ them ; and fearing they may be inclined to pre-
 ‘ serve what they have made, both out of Kindness
 ‘ and Policy, since all great Changes are extremely
 ‘ inconvenient, and almost infallibly beget yet great-
 ‘ er Changes, which beget yet greater Inconveni-
 ‘ ences.

‘ Since as great an one in the Church, must follow
 ‘ this of the Kingdom ; since the second Estate
 ‘ would in all Probability follow the Fate of the first,
 ‘ and by some of the turbulent Spirits Jealousies
 ‘ would soon be raised against them, and the like
 ‘ Propositions for Reconciliation of Differences would
 ‘ be then sent to them, as they now have joined
 ‘ to send to us till (all Power being vested in the
 ‘ House of Commons, and their Number making
 ‘ them incapable of transacting Affairs of State with
 ‘ the necessary Service and Expedition, those being
 ‘ retrusted with some close Committee) at last the
 ‘ Common People (who in the mean Time must be
 ‘ flattered, and to whom Licence must be given in
 ‘ all their wild Humours, how contrary soever to
 ‘ established Law, or their own real Good) discover
 ‘ this *Arcanum Imperij*, That all this was done by
 ‘ them, but not for them, and grow weary of Jour-
 ‘ ney-Work, and set up for themselves, call Parity
 ‘ and Independence Liberty, devour that Estate which
 ‘ had devoured the rest, destroy all Rights and Pro-
 ‘ perties, all Distinctions of Families and Merit ;
 ‘ and by this means this splendid and excellently di-
 ‘ stinguished Form of Government end in a dark
 ‘ equal Chaos of Confusion, and the long Line of
 ‘ our many Noble Ancestors in a *Jack Cade*, or a
 ‘ *Wat Tyler*.

‘ For all these Reasons to all these Demands our
 ‘ Answer is, *Nolumus Leges Angliæ mutari* : But this
 ‘ we promise, that we will be as careful of preserv-
 ‘ ing the Laws in what is supposed to concern wholly
 ‘ our Subject, as in what most concerns our Self :
 ‘ For indeed we profess to believe, that the preserva-
 ‘ tion

' tion of every Law concerns us, those of Obedience
 ' being not secure, when those of Protection are vio-
 ' lated ; and we being most of any injured in the least
 ' Violation of that by which we enjoy the highest
 ' Rites and greatest Benefits, and are therefore o-
 ' bliged to defend no less by our Interest, than by
 ' our Duty, and hope that no Jealousies to the con-
 ' trary shall be any longer nourished in any of our
 ' good People by the subtle Insinuations and secret
 ' Practices of Men, who for private Ends are disaf-
 ' fected to our Honour and Safety, and Peace and
 ' Prosperity of our People. And to shew you, that
 ' no just Indignation at so reproachful Offers shall
 ' make us refuse to grant what is probable to con-
 ' duce to the Good of our good People, because of
 ' the ill Company it comes in, we will search care-
 ' fully in this Heap of unreasonable Demands, for so
 ' much as we may (complying with our Conscience,
 ' and the Duty of our Trust) assent unto, and shall
 ' accordingly agree to it.

' In pursuance of which Search in the Fourth Pro-
 ' position, under a Demand, which would take from
 ' us that Trust, which God, Nature, and the Laws
 ' of the Land have placed in us, and of which none
 ' of you could endure to be deprived, we find some-
 ' thing to which we give this Answer, That we have
 ' committed the Principal Places about our Children
 ' to Persons of Quality, Integrity and Piety, with
 ' especial regard that their tender Years might be so
 ' seasoned with the Principles of the true Protestant
 ' Religion, as (by the Blessing of God upon this our
 ' Care) this whole Kingdom may in due Time reap
 ' the Fruits thereof : And as we have been likewise
 ' very careful in the Choice of Servants about them,
 ' that none of them may be such, as by ill Princi-
 ' ples, or by ill Examples, to cross our Endeavours
 ' for their pious and virtuous Education ; so if their
 ' shall be found (for all our Care to prevent it) any
 ' Person about our Children (or about us, which is
 ' more than you ask) against whom both Houses

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‘ shall make appear to us any just Exception, we
 ‘ shall not only remove them, but thank you for the
 ‘ Information; only we shall expect that you shall
 ‘ be likewise careful, that there be no under-hand
 ‘ dealing by any to seek Faults to make room for o-
 ‘ thers to succeed in their Places.

‘ For the Fifth Demand, as we will not suffer any
 ‘ to share with us in our Power of Treaties, which
 ‘ are most improper for Parliaments, and least of all
 ‘ in those Treaties in which we are nearest concerned,
 ‘ not only as a King, but as a Father; yet we do
 ‘ (such is our desire to give all reasonable Satisfacti-
 ‘ on) assure you by the Word of a King, that we
 ‘ shall never propose or entertain any Treaty whatso-
 ‘ ever for the Marriage of any of our Children,
 ‘ without due regard to the true Protestant Religion,
 ‘ the Good of our Kingdom and the Honour of our
 ‘ Family.

‘ For the Sixth Demand, concerning the Laws in
 ‘ Force against Jesuits, Priests, and Popish Recu-
 ‘ sants, we have by many of our Messages to you,
 ‘ by our voluntary Promises to you so solemnly made,
 ‘ never to pardon any Popish Priest, by our strict
 ‘ Proclamations lately published in this Point, and
 ‘ by the Publick Examples which we have made in
 ‘ that Case since our Residence at *York*, and before
 ‘ at *London*, sufficiently expressed our Zeal herein.
 ‘ Why do you then ask that in which our own Inclina-
 ‘ tion hath prevented you? And if you can yet
 ‘ find any more effectual Course to disable them
 ‘ from disturbing the State, or eluding the Law by
 ‘ Trust, or otherwise, we shall willingly give our
 ‘ Consent to it.

‘ For the Seventh Demand, concerning the Votes
 ‘ of the Popish Lords, we understand, that they in
 ‘ Discretion have withdrawn themselves from the Ser-
 ‘ vice of the House of Peers, (and had done so when
 ‘ use was publicly made of their Names to asperse
 ‘ the Votes of that House, which was then counted
 ‘ as Malignant as those, who are called our unknown

‘ and

‘ and unsworn Counsellors, are now ;) neither do we
‘ conceive, that such a positive Law against the Votes
‘ of any whose Blood gives them that Right, is so
‘ proper in regard of the Privilege of Parliament,
‘ but are content, that so long as they shall not be
‘ conformable to the Doctrine and Discipline of the
‘ Church of *England*, they shall not be admitted to
‘ sit in the House of Peers, but only to give their
‘ Proxies to such Protestant Lords as they shall
‘ choose, who are to dispose of them as they them-
‘ selves shall think fit, without any reference at all
‘ to the Giver.

‘ As to the Desires for a Bill for the Education of
‘ Papists by Protestants in the Protestant Profession,
‘ many about us can witness with us, that we have
‘ often delivered our Opinion, that such a Course
‘ (with God’s Blessing upon it) would be the most
‘ effectual for the rooting of Popery out of this King-
‘ dom ; we shall therefore thank you for it, and en-
‘ courage you in it, and when it comes unto us, do
‘ our Duty : And we heartily wish for the Publick
‘ Good, that the Time you have spent in making
‘ Ordinances without us, had been employed in pre-
‘ paring this and other good Bills for us.

‘ For the Eighth, touching the Reformation to
‘ be made of the Church-Government and Liturgy,
‘ we had hoped that what we had formerly declared
‘ concerning the same had been so sufficiently under-
‘ stood by you, and all good Subjects, that we
‘ should not need to have expressed our Self further
‘ in it. We told you in our Answer to your Petiti-
‘ on, presented to us at *Hampton-Court* the first of
‘ *December*, that for any illegal Innovations which
‘ may have crept in, we should willingly concur in
‘ the removal of them ; and if our Parliament should
‘ advise us to call a National Synod, which may duly
‘ examine such Ceremonies as give just Cause of
‘ Offence to any, we should take it into Considerati-
‘ on, and apply *ourSelf to give due Satisfaction therein ;*
‘ *that we were perswaded in our Conscience, that no*
‘ *Church*

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Church could be found upon the Earth, that professeth
 the true Religion with more Purity of Doctrine than
 the Church of England doth, nor where the Govern-
 ment and Discipline are more jointly beautified, and
 free from Superstition, than as they are established by
 Law. Which, (by the Grace of God) we will with
 Constancy maintain (while we live) in their Purity
 and Glory, not only against all Invasions of Pope-
 ry, but also from the Irreverence of those many
 Schismatics and Separatists, wherewith of late this
 Kingdom, and our City of London abounds, to
 the great Dishonour and Hazard both of Church
 and State; for the Suppression of whom we required
 your timely and active Assistance. We told you
 in our first Declaration, printed by the Advice of
 our Privy-Council, That for Differences amongst our
 selves for Matters indifferent in their own Nature con-
 cerning Religion, we should in Tendernefs to any Num-
 ber of our loving Subjects, very willingly comply with
 the Advice of our Parliament, that some Law might
 be made for the Exemption of tender Consciences from
 Punishment, or Prosecution for such Ceremonies, and
 in such Cases, which by the Judgment of most Men are
 held to be Matters indifferent, and of some to be abso-
 lutely unlawful; Provided that this Ease should be
 attempted and pursued with that Modesty, Temper,
 and Submission, that in the mean Time the Peace and
 Quiet of the Kingdom be not disturbed, the Decency and
 Comeliness of God's Service discountenanced, nor the
 pious, sober, devout Actions of those Reverend Persons
 who were the first Labourers in the blessed Reformati-
 on, or of that Time, be scandalized and defamed. And
 we heartily wish, that others whom it concerned,
 had been as ready as their Duty bound them,
 though they had not received it from us, to have
 pursued this Caution, as we were, and still are
 willing and ready to make good every particular
 of that Promise. Nor did we only appear willing
 to join in so good a Work, when it should be
 brought us, but pressed and urged you to it in our
 Message

' Message of the 24th of *February*, in these words:
 ' *And because his Majesty observes great and different*
 ' *Troubles to arise in the Hearts of People concerning the*
 ' *Government and Liturgy of the Church, his Majesty*
 ' *is willing to declare, That he will refer the whole Con-*
 ' *sideration to the Wisdom of his Parliament, which he*
 ' *desires them to enter into speedily, that the present Dis-*
 ' *tractions about the same may be composed; but desires*
 ' *not to be prest to any single Act on his part, till the*
 ' *whole be so digested and settled by both Houses, that his*
 ' *Majesty may clearly see what is fit to be left, as well*
 ' *as what is fit to be taken away:* Of which we the
 ' more hoped of a good Success to the general
 ' Satisfaction of our People, because you seem in
 ' this Proposition to desire but a *Reformation*, and
 ' not, as is daily preached for as necessary in those
 ' many Conventicles which have within these Nine-
 ' teen Months began to swarm, and which, though
 ' their Leaders differ from you in this Opinion, yet
 ' appear to many as countenanced by you, by not
 ' being punished by you (few else by reason of the
 ' Order of the House of Commons of the 9th of
 ' *September* daring to do it) a Destruction of the
 ' present Discipline and Liturgy. And we shall
 ' most chearfully give our best Assistance for raising a
 ' sufficient Maintenance for preaching Ministers, in such
 ' Course as shall be most for the Encouragement and
 ' Advancement of Piety and Learning.

' For the Bills you mention, and the Consultation
 ' you intimate, knowing nothing of the particular
 ' Matters of the one (though we like the Titles
 ' well) nor of the manner of the other, but from
 ' an Informer, (to whom we give little Credit, and
 ' we wish no Man did more) common Fame, we can
 ' say nothing till we see them.

' For the Eleventh, we would not have the Oath
 ' of all Privy-Counsellors and Judges straitned to par-
 ' ticular Statutes of one or two particular Parlia-
 ' ments, but extend to all Statutes of all Parliaments,
 ' and the whole Law of the Land, and shall willing-
 ' ly

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‘ ly consent, *That an Enquiry of all the Breaches and*
 ‘ *Violations of the Law may be given in Charge by the*
 ‘ *Justices of the King’s-Bench every Term, and by the*
 ‘ *Judges of Assize in their Circuits, and Justices of the*
 ‘ *Peace at the Sessions, to be presented and punished ac-*
 ‘ *cording to Law.*

‘ For the Seventeenth, we shall ever be most ready,
 ‘ (and we are sorry it should be thought needful to
 ‘ move us in it) not only to join with any (particu-
 ‘ larly *with the States of the United Provinces*, of which
 ‘ we have given a late Proof in the Match of our
 ‘ Daughter) *for the Defence and Maintenance of the*
 ‘ *Protestant Religion against all Designs and Attempts of*
 ‘ *the Pope and his Adherents*; but singly (if need
 ‘ were) to oppose with our Life and Fortune all such
 ‘ *Designs* in all other Nations, were they joined: And
 ‘ that for Consideration of Conscience, far more than
 ‘ any Temporal End of *obtaining access of Strength and*
 ‘ *Reputation*, or any natural End of *restoring our*
 ‘ *Royal Sister and her Princely Issue to their Dignities*
 ‘ *and Dominions*, though these likewise be much con-
 ‘ sidered by us.

‘ For the Eighteenth, it was not our Fault that an
 ‘ Act was not passed *to clear the Lord Kimbolton,*
 ‘ *and the Five Members of the House of Commons*, but
 ‘ yours, who inserted Clauses into both the Preamble
 ‘ and Act, (perhaps persuaded to it by some who
 ‘ wish not that you should in any thing receive Satis-
 ‘ faction from us) as by passing the Preamble, we
 ‘ must have wounded our Honour against our Con-
 ‘ science, and by another Clause have admitted a
 ‘ Consequence, from which we could never have
 ‘ been secured, by declaring, *That no Member of either*
 ‘ *House, upon any Accusation of Treason, could have*
 ‘ *his Person seized without the Consent of that House*
 ‘ *of which he is a Member*; though the known Law
 ‘ be, *That Privilege of Parliament extends not to*
 ‘ *Treason*; and if it did, any Member (the House
 ‘ being for a short time adjourned, and so their
 ‘ Consent not being so had) how treasonable soever

‘ his

his Intentions were, how clearly soever known,
and how suddenly soever to be executed, must
have fair Leave given him to go on, and pursue
them ; no way, how legal soever, after the passing
such a Clause being left to prevent it. (3)

To conclude, we conjure you, and all Men, to
rest satisfied with the Truths of our Professions,
and the Reality of our Intentions, not to ask such
things as deny themselves, that you declare against
Tumults and punish the Authors ; that you allow

REM. (3). *The King, in showing the Inconveniencies of this Clause, lays down a Case different from that of the Six Members accused. For he supposes to demonstrate these Inconveniencies, that the Treason is manifest, and just going to be executed. Whereas the Difference between the King and the Parliament consisted in that the Parliament desired to see the Proofs, before they consented to the Prosecution of their Members. Besides, this Maxim, that the Privileges of Parliament reached not to treasonable Cases, is very ambiguous. For it may signify either that in case of real, manifest, or apparent Treason, the Members of Parliament have no more Privilege than the rest of the Subjects, or else that by a bare Accusation of Treason, true or false, a Member may be committed to Prison like any other private Person. The King took it and would have it taken in this last Sense, but the Parliament would admit it only in the First. But that the King's Sense was wrong, evidently appears, in that when, for Instance, a Peer is accused of Treason, he is not sent to the Tower, according to the usual Course of Justice, as a private Person would be, but by Order of his House, which thinks proper to consent to his Prosecution. Without this Consent, the King cannot send him to the Tower by his own Authority, and upon a bare Accusation. In short, no less Inconveniencies attended the King's Sense, since in that Case the King upon bare Accusations, whether true or false, might imprison all the principal Members of both Houses.*

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‘ us our Propriety in our Towns, Arms and Goods,
 ‘ and our Share in the Legislative Power, which
 ‘ would be counted in us not only Breach of Privi-
 ‘ lege, but Tyranny and Subversion of Parliaments
 ‘ to deny to you. And when you shall have given
 ‘ us Satisfaction upon those Persons who have taken
 ‘ away the one, and recalled those Declarations (par-
 ‘ ticularly that of the 26th of *May*) and those in the
 ‘ Point of the *Militia* (our just Rights, wherein we
 ‘ will no more part with than with our Crown, lest
 ‘ we enable others by them to take that from us)
 ‘ which would take away the other, and declined the
 ‘ Beginnings of a War against us, under Pretence of
 ‘ our Intention of making one against you ; as we
 ‘ have never opposed the first Part of the Thirteenth
 ‘ Demand, so we shall be ready to concur with you
 ‘ in the latter.

‘ And being then confident that the Credit of those
 ‘ Men, who desire a general Combustion, will be so
 ‘ weakened with you, that they will not be able to
 ‘ do this Kingdom any more harm, we shall be wil-
 ‘ ling to grant our general Pardon, with such Ex-
 ‘ ceptions as shall be thought fit, and shall receive
 ‘ much more Joy in the Hope of a full and constant
 ‘ Happiness of our People in the true Religion, and
 ‘ under the Protection of the Law by a blessed
 ‘ Union between us and our Parliament (so much de-
 ‘ sired by us) than any such encrease of our Revenue
 ‘ (how much soever beyond our former Grants) as
 ‘ (when our Subjects were wealthiest) our Parlia-
 ‘ ment could have settled upon us.’

I shall only make one general Remark upon this Answer of the King's, but which to me seems absolutely necessary. And that is, that all the Beginning, which includes two Thirds, is entirely needless, since the King treats not of the Point in Dispute between him and the Parliament. The Question was not to know, whether the Laws ascribed such and such Power to the King, but to know whether the
 King

King having abused this same Power, his Word that he would govern according to the Law of the Land, ought to be depended upon for the future. The King throughout the Beginning of his Answer, supposes an Ignorance of what is due to a King of *England*, or a causeless Denial of the same. As to the first Point, he pretends to acquaint the Publick with the Nature of the *English* Constitution, a very superfluous thing, since no body disagreed with him. He stands to the general Position acknowledged by all the World, but says not a word to the particular Question which was the only Subject of the Dispute. As to the second Point, he does not deny that he had abused his Power, but makes no other Answer to the Consequence drawn by the Parliament from this Abuse, than that he promises to behave better for the future.

It is easy to see that neither the Parliament's Propositions nor the King's Answer were proper to beg an Accommodation. Accordingly it may be affirmed, that neither Side thought of any such thing. When the King published his Answer, he had received some Arms, Ammunition, and Pieces of Ordnance from *Holland*, and besides that, he was preparing to besiege *Hull*. Though great part of the Arms were now removed to *London*, he hoped to find enough there still to supply his most urgent Occasions. Moreover, this Place, which was one of the strongest in the Kingdom, might be of great Service to him to keep the adjacent Country in his Interest.

On the other Hand, the *Presbyterian* Party, who then prevailed in the Parliament, had very near attained their Desire, that is to say, brought Things to a Rupture, which gave them room to hope they should quickly have opportunity to accomplish the rest of their Project. Indeed, this Rupture between the King and the Parliament being supposed, it was manifest the Kingdom would be governed by the Parliament and the King, separately, and not jointly as before, that is, they would each govern those of their Party; in which case, the Parliament would have

The Motives of the Presbyterians in the Rupture.

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have no more occasion for the King's Consent, who would be looked upon as an Enemy, and consequently they might ordain whatever they pleased without any Opposition. This was the precise Point to which all the Proceedings of the *Presbyterian* Party had tended, without their discovering themselves however any more than was necessary to support the Expectations of their Adherents. For till now it highly concerned them to make the Publick and the Members who were not of their Side believe, that they acted in Conjunction with the other Members, with the sole View of vindicating the common Liberty against the Encroachments of the King.

Double
Views of
the Pres-
byterians.

It is certain that from the very Beginning, there was in this Parliament a *Presbyterian* Party, whose Aim was to alter the Church-Government. But that this was the sole View of the *Presbyterians*, as many assert, is what I don't see any sure Grounds for. Why might not these Men, with their Endeavours to erect their Discipline upon the Ruins of the Church, join another End, I mean, the Prevention of the King's and his Party's Incroachments upon the publick Liberty? There were, certainly, in this very Parliament Members who were very far from being *Presbyterians*, and yet had the same End: Why might not the *Presbyterians* have it too, together with that which was peculiar to them? Is it so uncommon a Thing to see People propose to themselves two different Ends in one and the same Undertaking? I confess I do not see any unlikelihood in such a Supposition. The *Presbyterian* Party therefore must be considered as acting with those two Views, and this is so true, that undeniable Proofs of it will appear in the Sequel of this Reign. But their Enemies have been pleased to ascribe to them the First only, that they might charge them with putting the Kingdom in a Flame, purely for the Sake of establishing the *Presbyterian* Government in the Church. I do not deny that this Motive contributed very much to it. But it does not follow that the Reasons the Parlia-

ment went upon, in refusing to confide in the King, were frivolous. Rather the quite contrary may be inferred from thence. For if these Reasons had not been plausible, the *Presbyterians* would never have been able to execute their Projects, and form so strong a Party in a Kingdom, where in the Beginning of this Parliament, they made so poor a Figure. But they had the Cunning to make the general Discontent, which actually subsisted, subservient to bring Matters to the Pass they desired. It cannot be said, that they bred this universal Discontent, though it can scarce be doubted but they helped to inflame it, because it was necessary to their Views.

The Parliament having received Advice from *Holland* that the Queen had pawned or sold some of the Crown-Jewels at *Amsterdam*, published the 2d of June an Order, declaring, that whosoever was concerned in the selling or pawning these Jewels, or in the bringing any Money to the King by way of Bill of Exchange or otherwise, should be accounted an Enemy to the State. But the Queen had already laid out the Money in purchasing Arms and Ammunition, which she had conveyed to the King on board a small Ship called *the Providence*, which the very Day the Parliament published this Order safely arrived in *Burlington-Bay*, after having been hotly chased by part of the Parliament's Fleet, commanded by the Earl of *Warwick*.

Some time before, the King finding the War inevitable, had ordered his Friends in the two Houses to absent themselves from the Parliament. He was in hopes, by lessening so considerably the Number of the Members, to lessen the Credit of the Parliament. But this Policy turned not to his Advantage. It is true, both Houses were considerably lessened in Number. But then the King's Party there grew so weak, that they could no longer oppose the Resolutions taken against the King. Though the two Houses were not sorry to be rid of these Spies, they believed however, it was necessary to take some Measures, to

Order of the House concerning the Sale of the Crown Jewels.
Rush. IV, p. 736.
June 2.
The King receives Arms from Holland.

The King orders his Party to leave the Parliament.

Precautions of the Commons.

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hinder a greater Defection, or to let the People see that it was not their fault if the Parliament was not so numerous as it had been hitherto. The *Commons* therefore ordered all the Sheriffs of the Kingdom to give notice to the Representatives to attend the House by the 16th of *June*, on forfeiture of One Hundred Pounds, and on pain of undergoing such further Punishment as the House should think fit.

Severity of
the Peers
against
Nine ab-
sent Lords.
Rush. IV.
p. 742.

But the Lords went still farther: For they ordered Nine of their Members*, who had repaired to the King at *York* to appear at the Bar the 8th of *June* as *Delinquents*. These Nine Lords having sent their Excuse by a Letter, the *Commons* forthwith prepared an Impeachment against them, and sent it up to the Lords. The 27th of the same Month* the Peers pronounced Sentence against the Nine Lords, declaring they should not sit or vote in the House during the present Parliament, and should stand committed to the *Tower* during the Pleasure of the House.

The Par-
liament
takes up
Money up-
on Loans.
June 10.
Rush. IV.
p. 743.

These were little Proludes to the War which was going to be kindled. But on the 10th of *June* both Houses gave a more evident Token of their Design, for upon receiving Advice that the King was actually giving out Commissions to levy Forces, they published Proposals for the bringing in of *Money* or *Plate* for the Defence of the Kingdom. This is what the King's Friends will have to be considered as the first Declaration of War on the Parliament's Side, and pretend to show thereby that they were the Aggressors. But it is certain, the King long before had taken Measures to prepare for War, and there is no doubt the Parliament had done so too, though perhaps more secretly than the King. Be this as it will, after we have seen by all that has been said, what were the true Grounds and Causes of the War, it seems to be of little Moment to know which of the

two

* The Earls of Northampton, Devonshire, Monmouth and Dover, and the Lords Rich, Andover, Grey of Raisen, Coventry and Capel. Rush. IV. p. 737.

† On the 20th of *July*. Rush. IV. p. 742.

two Parties first discovered the Measures they had taken whether to attack or defend. For that is at most what is sought after in the Question, *Which of the Parties began the War?*

The King having notice of what the Parliament had done for the speedy raising of Money, writ to the Lord-Mayor of *London*, commanding him to publish the Letter, wherein he forbid the Citizens to lend any Money to both Houses. This Letter occasioned their publishing a Declaration, the Aim whereof was to make the People sensible that the Parliament was under an absolute necessity of preparing for their Defence. They said, his Majesty having so often threatned them about *Hull* and the *Militia*, they could not but look upon his Preparations as a Design to make War upon his Parliament.

The King made to this Declaration a long Answer full of Reproaches of the illegal Proceedings of both Houses against him. He did not deny that he intended to have Justice in the Cases of *Hull* and the *Militia*, or lose his Life in requiring it, and affirmed that his so doing was no Manner of Proof of his designing to make War against the Parliament, but only of his Intention to defend himself against their Attacks. The Parliament said the same thing on their Part, and each endeavoured to cast the Blame of the War on the opposite Party. I did not think it necessary to insert these last Papers, there being nothing new in them. They contain the same Reproaches and the same Vindications on both Sides, as were seen in the former Declarations. I shall only observe that even at the very time when the War was going to begin, and all Prospect of Accommodation vanished, the King thought it very strange that his Prerogatives should be violated, and the Parliament raise Forces without his Approbation. He used the same Stile all along, even in the very midst of the War. In fine, the Parliament, tired of these Paper-Skirmishes, of which there was no end, and which consumed a great deal of Time, forbid by a

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The King's Letter to the Mayor of London.

June 143.
Rush. IV.
p. 746.

The Parliament's Declaration thereupon.

June 21.
Ibid.

The King's Answer.

Ibid.
p. 748.

The Parliament forbids the publishing of the King's Papers.

July 4.
Rush IV.
p. 751.

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*Project of
the King's
to become
Master of
the Fleet;*

printed Order the publishing any Declarations or Papers of the King's that should be contrary to the Ordinances of the Parliament. After that there was no hopes of Peace, so all thoughts of it were laid aside by both Parties.

The King, before he came to an open Declaration, had a mind to execute two Designs he had formed. The First was to become Master of the Fleet; and the Second to besiege *Hull*. The Project about the Fleet was wholly grounded upon the Hopes he had conceived that the Captains of the Ships would declare for him as soon as he should command them. In this belief he writ to each Captain in particular, requiring him without delay, and without demanding any Orders from his Superiors, to bring away his Ship to *Burlington-Bay*, and yield no further Obedience to the Earl of *Warwick*. He sent withal a Letter to the Earl of *Warwick*, to forbid him to meddle any more in the Command of the Fleet. The Letters to the Captains were to be delivered, as they were accordingly, before that directed to the Earl of *Warwick*. The King dispatched at the same time a Messenger to *London* to carry to the Earl of *Northumberland* a Revocation of his Commission of Admiral, under the Great-Seal. The Earl of *Warwick*, who was then on Shore, having notice of what was doing in the Fleet, went immediately on board his Ship, and summoned all the Captains to attend him in a Council of War. All obeyed, notwithstanding the King's Orders, except Five, who joined together to make their Defence in case they should be attacked. The rest protested to their Admiral they would obey his Commands. As soon as he had made sure of these, he caused them to come to an Anchor round the Five others, in order to compel them to submit. But Three of them thought fit to come in upon a Summons. The Two that still held out suffered themselves to be shamefully taken by unarmed Boats, and were sent to *London*. Thus the King was disappointed of his Aim, for which, though of great Importance,

is frustrated.

tance, he had not doubtless taken very proper Measures, as appeared by the Event *.

After this fruitless Attempt, the King believed it was to no purpose to dissemble any longer, and that he must at last begin the War. To that End, he ordered the Duke of *Newcastle* to secure the Town of *Newcastle*, which was done, though with some Difficulty, and then he caused *Tinmouth*-Castle to be seized also. At the same Time, he sent many Lords and Gentlemen into their respective Shires to levy Forces, and by a Patent under the Great-Seal, appointed the Earl of *Hertford* his Lieutenant-General of the *Western*-Counties. He kept near his Person the Earl of *Lindsey* to be under him, General of his Army. Sir *Jacob Asbley* was General of the *Foot*, and the Place of General of the *Horse*, was reserved for Prince *Rupert*, the King's Nephew, and Brother to the Elector Palatine, who was daily expected.

Though the King had pretended to raise only a Guard for his Person, it was found however that in the beginning of the Month of *July*, he had about three Thousand *Foot*, and seven or eight Hundred *Horse*, with which he resolved to march to *Hull*. He staid some Days at *Beverley* about six Miles from *Hull*, and issued out a Proclamation to signify his Intention to besiege *Hull*, and the Reasons that induced him thereto. As they have already been seen, it is needless to repeat them. Three Days after he sent the Proclamation to the Parliament, with a Message, requiring them that the Town of *Hull* might be forthwith delivered up to him.

* Sir *John Pennington*, it seems, having refused to undertake the Business, each Captain, as is said above, had Orders to bring away his Ship; but *Pennington* altering his Mind, the Dispatches were altered too, and the Captains were commanded in their Letters to follow *Pennington's* Orders, who not coming time enough, the Project came to nothing. Had the first Letters gone, the five Ships abovementioned might have got off. *Clarend.* 11. p. 665.

The King
prepares
for War.

He marches
to be-
siege Hull.
Ruth. IV.
p. 601.

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The Parli-
ament's Pe-
tition to
the King.
July 15.
Ibid.

The King's
Answer.
Ibid.

He besieges
Hull in
vain.

Goring
Governour
of Portf-
mouth
declares
for the
King.

Before the Parliament received this Message, they had resolved to present a Petition to his Majesty to pray him in a very humble manner, to forbear all Preparations for War, to remove his Forces from about *Hull*, to dismiss his Troops, to send away his Garrisons from *Newcastle*, *Tinmouth*, and other Places, for which they promised also on their Part, to lay down all those Preparations they had been forced to make for their Defense. The King returned a long Answer in Writing to this Petition, wherein he repeated good part of what he had said in his Declarations. He made likewise some Propositions to both Houses, allowing them to the 27th of *July* for a full and positive Answer.

The Parliament having returned an unsatisfactory Answer to the Propositions, the King resolved to begin the Siege of *Hull*. But this Enterprize was attended with so bad Success, that after having been some Time before the Town, without being ever the nearer, he was obliged to raise the Siege, or rather Blockade, and return to *York*. The Earl of *Clarendon* says, the King undertook the Siege of *Hull*, upon the Assurance Sir *John Hotham* had given him, that he would deliver up the Place after the firing of a single Shot: But that it was not possible for *Hotham* to keep his Word *.

It was now some Months since, as I said, that the King had gained Colonel *Goring* Governour of *Portsmouth*, who feigning to keep the Place for the Parliament, held it indeed for the King. He received Money

* The Lord *Digby* coming privately to the King at *York*, from beyond Sea, and not finding Matters as he expected, resolved to go back to the Queen and hasten the Supply of Arms, but was taken at Sea by the Ships that were chasing the *Providence*, and brought disguised like a Frenchman into *Hull*, where discovering himself to Sir *John Hotham*, he prevailed with him, according to my Lord *Clarendon*, to promise to surrender the Town, if the King would come before it, and make but one Shot. And this, he says, induced the King to march to *Beverly*, in order to besiege *Hull*, before he had any Thing in readiness for such an Undertaking. *Claren.* Vol. II. p. 704--711.

1642.

ney from both Sides, to reinforce the Garrison and raise new Works, the Parliament not mistrusting him, and the King relying upon his Word. In short, about the Time the King was besieging *Hull*, *Goring* openly declared for him. This happened in the beginning of the Month of *August*, but three Weeks after the Parliament had issued out Orders for levying an Army, which was to be commanded by the Earl of *Essex*. The Army not being yet ready, both Houses, though astonished at *Goring's* Defection, were not however disheartened. As it was of the utmost Importance to recover this Place, the strongest in the Kingdom, before the King should be able to relieve it, they dispatched with speed a Committee, whom they empowered to assemble the *Militia* of the neighbouring Counties, in order to block up *Portsmouth* by Land, whilst the Earl of *Warwick* was commanded to do the same by Sea. Luckily for the Parliament, *Goring*, though he had received from them three Thousand Pounds, and the like Sum from the King, had neglected to lay in the necessary Provisions for a Siege, and particularly Corn and Salt, so that in the very beginning of the Blockade, he found he should be able to hold out but a very little while. This made him resolve to capitulate. He surrendered the Place to the Committee, only for Liberty to retire into *Holland*, [and for his Officers to repair to the King.]

He is blocked up.

He capitulates.

During the Blockade of *Portsmouth*, the King not at all doubting but *Goring* was in Condition to defend that Place, published at last a Declaration that had long been ready, wherein he Sums up all the Complaints he had already made against both Houses. As the Reader is sufficiently informed of these Matters, there is no occasion to insert here this new Declaration. Only it must be remarked, that the King declared both Houses guilty of High-Treason, and forbid all his Subjects to yield any Obedience to them: And at the same time issued out a Proclamation, requiring all Men who could bear Arms to re-

The King's Manifesto.

Proclamation to attend the Royal Standard.

1647.

pair to him by the 25th of *August* at *Nottingham*, where he intended to set up his Royal-Standard, which all good Subjects were obliged to attend. The setting up of the Royal-Standard was the antient manner of making known to the People the pressing Occasion the King had of their Assistance, and the Place they were to repair to in order to aid him. The King could not forbear thinking that he was still to be considered as usual, King, and that the same Respect and Obedience were to be paid him, as if he had never given his People any Cause of Complaint. He imagined that the Acts of Grace he had passed this Parliament, and his Promises to behave better for the future, had wiped out all the ill Impressions that his past Government had made upon his Subjects, and that although there was a strong Party against him in the Parliament, it was otherwise among the People. He thought therefore that the setting up his Standard would make a strong Impression on the People and induce them to appear in Arms at *Nottingham*. But the Prejudices were too deeply rooted in the Minds of most of the Subjects for a bare Ceremony to be able to remove them.

The King
gives out
new Com-
missions.

He takes
Lincoln.
And ar-
rives at
Notting-
ham.

Coven-
try-Gates
are shut
against
him.

Aug. 20.

Whilst the Day appointed for the setting up of the Standard was expected, the King endeavoured to augment the Number of his Forces. He gave out fresh Commissions, and sent the Earl of *Heriford* and some other Lords [and Gentlemen] to manage his Concerns, and raise Troops in the *Western-Parts*. For himself, he departed from *York*, some Days before the 25th of *August*, and in his way took *Lincoln*, from whence he drew the Arms of the Trained-Bands for his Troops, after which he came to *Nottingham*, and next Day went to take a view of his Horse.

The Review was no sooner over, but he was informed that two Regiments of *Foot* were marching towards *Coventry* by the Earl of *Essex's* Orders. Whereupon he made haste thither with his Cavalry, consisting of seven or eight Hundred Horse, in hopes of getting there before the Parliament's Forces, and

so

so of possessing himself of that City. Accordingly he got thither the Day before the two Regiments: But the Mayor of the City, though without a Garrison, shut the Gates against him, and fired upon his Men. He was sensibly touched with this Indignity: But as there was no remedy, he was forced to go back to *Nottingham*, leaving the Command of his Cavalry to Commissary-General *Wilmot*.

1642.

The next Day, his Body of Horse being upon a Plain of five or six Miles extent, where nothing in- cumbered them, had a clear view of a Body of twelve Hundred of the Enemies Foot, guarded by one Troop of Horse. *Wilmot*, one would have thought, could not have wished for a fairer Opportunity to attack with Advantage this Body of Foot, who had nothing to screen them. But for what Reason it is not known, instead of falling upon them he thought only of avoiding them, and even retreated with some Precipitation. This was a bad Omen to a War just entered into.

Wilmot loses an Opportunity of defeating a Body of the Parliament's Forces.

At last on the 25th of *August*, the King caused his Standard to be erected on a Turret * of *Nottingham*-Castle, having with him only some unarmed Trained-Bands. His Proclamation had produced so little Effect, that hardly any Body was come to attend the Royal Standard. Nay, it happened that the very Day the Standard was set up, it grew so stormy and tempestuous, that it was blown down, and could not be fixed again in a Day or two. This was looked upon by many as a fatal Prefage of the War.

The King sets up his Standard at Nottingham.

It is blown down.

* *Rushworth* says, it was erected in the open Field on the back-side of the Castle-Wall. Vol. IV. p. 783.

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